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M. Burghers delin. et sculp.

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THE
General History
OF
ENGLAND
BOTH
Ecclesiastical and Civil,

Containing the REIGNS

OF

King JOHN,
AND
King HENRY the Third.

1705.

Taken from the most Antient Records, Manuscripts, and Printed Historians.

The Second Part of VOL. II.

By JAMES TYRRELL, Esq;

LONDON,

Printed for W. Rogers at the Sun in Fleetstreet, Robert Knaplock at the Angel in St. Paul's Church-Yard, Andrew Bell at the Cross-Keys and Bible in Cornhil, and Thomas Cockerill at the three Legs and Bible over against Grocers-Hall in the Poultry. MDCC.

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THE
General History
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ENGLAND
BOTH
Ecclesiastical and Civil.
VOL. II. BOOK VII.

23.

Containing the Reign of King John.

RICHARD being thus suddenly taken off almost in the very Prime of his Years, [1] his only surviving Brother and Successor, *John Earl of Mortaigne*, presently sent over *Hubert*, Archbishop of *Canterbury*, and *William le Marechal*, Earl of *Strigil*, (or *Chesflow*,) into *England*, that they, together with *Geoffrie Fitz-Peter*, the Justiciary under the late King, might keep the Nation in Peace, till he could come over, and settle Things himself; then he went to *Chinon* in *Tourain*, to make sure of his Brother's Treasure, which was at that time in the keeping of *Robert de Turnham*, who immediately upon his arrival delivered it up to him, as also the strong Castles of *Chinon* and *Saumur*, of both which this *Robert* was then Governor.

But things did not go so well for *Earl John's* Interest in other Parts, [2] for the Provinces of *Anjou*, *Tourain*, and *Main*, in a General Assembly of the Chief Men, or Estates of those Countreys, firmly adhered to his Nephew *Arthur*, Earl, or Duke of *Bretaign*, as their Liege Lord, declaring it to be the Right and Custom of those Territories; for the Son of the Elder Brother deceased, to succeed in the Patrimony or Inheritance before the Younger.

In compliance with which Determination, *Thomas de Furnes*, Nephew to *Robert de Turnham*, taking the contrary Party to his Uncle, delivered up the Castle of *Angiers* to *Arthur*, as the other Noblemen

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H h h h

did

MCCXIX. Castles which Earl John had brought him along with him to the City of Paris, and there delivered up the strong Castles of Chinon and Saumur, of both which this Robert was then Governor. Hubert the Archbishop, and William le Marechal, together with Geoffrie Fitz-Peter, the Justiciary under the late King, might keep the Nation in Peace, till he could come over, and settle Things himself; then he went to Chinon in Tourain, to make sure of his Brother's Treasure, which was at that time in the keeping of Robert de Turnham, who immediately upon his arrival delivered it up to him, as also the strong Castles of Chinon and Saumur, of both which this Robert was then Governor. But things did not go so well for Earl John's Interest in other Parts, [2] for the Provinces of Anjou, Tourain, and Main, in a General Assembly of the Chief Men, or Estates of those Countreys, firmly adhered to his Nephew Arthur, Earl, or Duke of Bretaign, as their Liege Lord, declaring it to be the Right and Custom of those Territories; for the Son of the Elder Brother deceased, to succeed in the Patrimony or Inheritance before the Younger. In compliance with which Determination, Thomas de Furnes, Nephew to Robert de Turnham, taking the contrary Party to his Uncle, delivered up the Castle of Angiers to Arthur, as the other Noblemen

Ann. Dom.
MCXCIX.

Who is deli-
vered by his
Mother to the
K. of France,
who seizes on
all the strong
Places that
belonged to
him.

did all the rest of the Provinces above-mentioned, excepting those Castles which Earl John had already possessed himself of; whereupon Constance, Countess of Bretain, and Mother to Earl Arthur, brought him along with her to the City of Tours, and there delivered him (being then about Thirteen years of Age) to the Custody of Philip King of France, who sent him to Paris to be there Educated with Prince Lewis his Son; and at the same time possessed himself of all the Cities, Castles, and strong Places which belonged to Earl Arthur, putting into them Castellans, or Governors of his own, resolving to make this Alteration wholly subservient to his particular Interest, as you will by and by perceive.

[3]
Id. ib.

Earl John takes
the City of
Mans, and pulls
down the
Walls.

[3] So soon as Earl John heard this Unwelcome News, he thought it high time to put a stop to these Successes of the French King. Wherefore, marching forthwith into the Province of Main with a strong Force, he soon took the City of Mans, and in revenge for their owning Arthur, and to be a Terror to other Places, he demolished the Walls of the City, together with the Castle, and all the Stone Houses, carrying away the Citizens Prisoners, because that contrary to their Fealty sworn to him, they had received Arthur for their Lord, which was a Presage of this Prince's Cruel and Impolitick Reign; for what could a Foreign Enemy have done more than Spoil and Dismantle One of the best fenced Cities in his Dominions, which might have been much better secur'd by a strong Garison, as his Father and Brother had done before in such like Cases?

[4]

Id. ib.

Earl John is
invested with
the Duchy of
Normandy, by
the Archbishop
of Rouen.
When he also
took an Oath
almost the
same with the
English Corona-
tion-Oath.

When [4] Earl John had thus dispatched his Affairs in those Parts, and kept his Christmas at Beaufort in Anjou, he went from thence into Normandy, and coming to Rouen, was on the 25th of April (being St. Mark's Day) in the Cathedral Church, girt with the Sword of the Duchy of Normandy, having also a Coronet (adorned with Golden Roses round about) put upon his Head by Walter Archbishop of that City; and then he took an Oath upon the Holy Gospels and Reliques of the Saints, in the Presence both of the Clergy and Laity, That he would Preserve Holy Church, with her Dignities (or Privileges) and Administer true Justice, Abrogate Evil Laws, and Ordain Good ones; which Oath is almost Word for Word with our antient English Coronation-Oath.

[5]
Id. ib.
The Archbi-
shop of Can-
terbury, and
the Earl Ma-
reschal, make
all the Free-
men of Eng-
land to swear
Allegiance to
John Duke of
Normandy.
Nevertheless
all the Bishops
and Great
Men fortify
their Castles,
& stand upon
their Guard.
Archbishop
Hubert and the
other Justices
of England
meet the No-
bility at Northampton,

Whilst [5] these Affairs were transacting beyond Sea, Hubert Archbishop of Canterbury, and William the Earl Mareschal, caused all the Freemen of the Kingdom, both of Cities and Boroughs, as also the Earls, Barons, and Free Tenants, to swear Fealty to John Duke of Normandy, Son of King Henry Fitz-Empress against all Men; Nevertheless all the Bishops, Earls, and Barons, who had Castles Fortified, and stored them with Victuals and Ammunition; which shews, that they were either not satisfied with King John's Right by Inheritance, or else suspecting his Fickle and Imperious Humour, they resolved in time to provide as well as they could against it. But whatever might, be the Reason of this Proceeding, when Archbishop Hubert, and the Earl Mareschal, with Geoffry Fitz-Peter Justiciary of England, knew it, they met at Northampton, and there summoned before them those of the Nobility, whom they suspected most likely

likely to raise any Disturbance, such as were Earl David, Brother to the King of Scots, Richard Earl of Clare, Ranulph Earl of Chester, William Earl of Tutesbury (or Darby,) Walcrican Earl of Warwick, Roger Constable of Chester, and William de Mowbray, with several other Earls and Barons, whom they assured that Duke John would render to every one his Right, upon which Condition or Agreement the above-mentioned Earls and Barons renewed their Oaths of Fealty to Duke John, and engaged to serve him faithfully against all Men.

Then [t] *William King of Scots*, taking advantage of this sudden Change, and the Unsettledness of Duke *John's* Affairs, sent his Envoys into *England*, to demand *Northumberland* and *Cumberland* with their Dependancies, (which they called their Master's Patrimony) and which, if restored, they promised on his behalf that he should then swear Fealty and Faithful Service to Duke *John* against all Men; but the Archbishop, and *William* the Earl Marshal, with *Geoffry Fitz-Peter*, wisely considering the great Consequence of their Demands, and the Danger of giving them a positive Denial in so ticklish a Time, would not permit them to go over into *Normandy*, but warily dismiss'd them home, sending with them Earl *David* his Brother, with this Message, That he should patiently wait for an Answer, till Duke *John* came into *England*, who also sent him the like Message by *Eustace de Vescie*, King *William's* Son in Law, promising, That upon his own arrival here, he would in all things comply with his Desires, if in the mean time he well observed and maintained the Peace he had formerly agreed to in his Brother's Reign.

Affairs [2] being as well settled in *Normandy* and the other Countreys beyond the Seas, as the Shortness of the Time would permit, Duke *John* resolv'd to go over, and take possession of the Crown of *England*, and on the 25th of *May* landing at *Shoreham* in *Sussex*, the next Day he went to *London*, in order to be Crown'd the day following; where met him the Archbishops of *Dublin*, and *Ragusa*, (who it seems was then in *England* about some Affairs not mention'd by our Author) there also appeared the New Bishop of *London*, with most of the Bishops, Earls, and Barons of *England*, who all attending the Duke to the Abby-Church at *Westminster* in Solemn Procession, *Hubert*, Archbishop of *Canterbury*, standing in the midst of them (as *Matth. Paris* relates) spoke to this Effect. "All here present hearken to me, your Wisdoms may understand, that no Man ought to succeed to the Kingdom upon any previous Considerations, unless he be first Unanimously *ELECTED* for the Excellency of his Manners, (the Grace of the Holy Spirit being first implor'd) by the *General Body of the Kingdom, and Anointed King after the Example of *Saul*, whom God set over his People, tho' he was neither a King's Son, nor descended of Royal Blood; so in like manner after him *David* the Son of *Jesse*, the One, because he was Valiant, and fit for the Royal Dignity; the Other because he was Pious and Humble; that so he who surpass'd others in Virtue, might also excell them in Dignity and Power; therefore if any One of the Family of the Deceased King, do excell the rest, we ought indeed most readily and willingly to consent to his Election; and we have said this, in respect to the

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Anno Dom. M.CXGIX. "Noble Duke John here present, the Brother of our Illustrious King Richard, who deceased without any Heir of his Body; This Duke being Prudent and Valiant, We all, as well in respect of his Deserts, as of his Royal Blood, (with the Invocation of the Holy Spirit) do unanimously Bless King: Which Proposition was agreed to by all there present.

Our Author's Character of this Archbishop. Upon whose Speech this Duke is Elected King. The Archbishop's Reason for his making this Speech. "Now you must observe, (says my Author) That the Archbishop was a Man of a deep Foresight, and was such a steady Pillar of Constancy and Wisdom, that none durst dispute what he said, knowing that he had not without good Cause thus determin'd this Matter; with which Speech Duke John and all there present readily acquiesced, and so Unanimously Electing and Receiving him for their King, Cryed out, *Long may the King Live!* But the Archbishop being afterwards question'd, why he had thus spoken? He answered, "That he clearly foresaw, being assured by certain *Prophecies or Presages, that King John would sometime spoil the Kingdom and Crown of England, and bring it into great Confusion; therefore "left he might take an unbridled License of doing what he would, "he had affirm'd, That he ought to be Elected, and not to succeed by Hereditary Succession.

Whether the Archbishop spoke this purely out of Policy or Conscience, I will not determine; but this much is certain, that either he did not believe any Hereditary Succession to the Crown; or if he did, it was such a One as our Law does not acknowledge at this Day. But since I intend to speak more amply on this Subject in my Introduction to this Volume, I shall say no more of it in this Place: Only that the Clergy and People of England are not so much to be blamed for thus preferring Earl John to his Nephew Arthur, since this was according to the ancient English Saxon Custom, whereby the Uncle did always succeed before the Nephew; besides this, Earl John was a Man of ripe Age, and a Native of this Kingdom, whereas the Latter was but a Minor of 12 or 13 Years of Age, and a Foreigner, born in Bretagne. But I will not take upon me to Excuse the Partiality of the Queen-Dowager Eleanor, who contrary to the Custom of most Grandmothers, was fonder of her Son John, than Grandson Arthur; which whether it proceeded from the little Knowledge she had of him, who had been always bred up with his Mother, the Countess of Bretagne, or out of pure Emulation to her, whom the Queen found would govern all Affairs during the Young Prince's Minority, I will not take upon me to determine, after so many Ages.

[3.] But to proceed to this King's Coronation, (from which our Author has made a Digression) [3] after this Election was over, the Archbishop placed the Crown upon the King's Head with the usual Ceremonies, notwithstanding Philip Bishop of Durham appeal'd against it, [4.] because of the Absence of the Archbishop of York. Then the Coronation-Oath was Administred, consisting of these Three Heads, (being the same with that taken by his Brother) viz. That he would cherish Holy Church, and all the Clergy, and would Preserve her safe from the Violence of her Enemies; That all Evil Laws being abrogated, he would establish Good Ones, and would exercise true Justice, throughout the Kingdom of England; and he was farther adjured

After the Election, the New King is Crown'd.

[4.] M P P. 199.

The Substance of the Coronation-Oath.

adjured by the Archbishop, that he should not presume to undertake this Dignity, unless he resolved to fulfill what he had now sworn, to which he answered, That he would by the help of God observe in good Faith, all those things he had promised, and on the next Day (having received the Homages and Fealties of his Nobility) he went to pay his Devotion at St. *Alban's Shrine*.

It is also worth our observing [5.] (what *R. Hoveden* farther relates) that on the Day of his Coronation he gave *William* the Earl *Mareschal* with the Sword of the Earldom of *Striguit*, and *Geoffrey Fitz-Peter* with that of the Earldom of *Essex*; for tho they were before called Earls, and had the Administration of their Counties or Earldoms, yet were not solemnly Invested with them; from whence we may observe, that the antient Custom of creating Earls by investing them with the Sword of the County they were to govern, was still in use.

The [1.] same day he also made *Habert* Archbishop of *Canterbury* his Chancellor, which was then looked upon as a Disparagement to his Archiepiscopal Dignity, for when he seemed to glory of his New Office, and his great Favour with the King, *Hugh Bardulf* a bold Baron, thus answered him, My Lord, with your good leave, if you would well consider the Great Power and Dignity of your Spiritual Function, you would not undertake this Toke of Lay-Servitude: With which Reproof the Archbishop being corrected, remain'd silent.

In the mean time, the King of *Scots* by three Priors of his own Nation, renewed his Demand of *Northumberland* and *Cumberland*, and made the same Promises as before; King *John* answered them prudently, that when their Lord the King of *Scots*, his Dear Cousin, came to him, he would do what was Just concerning that, and all his other Demands, and so sent *Philip* Bishop of *Durham* to meet him, expecting his coming; having also sent *Roger* Bishop of *St. Andrews*, and *Hugh Mareschal* before, to invite him; then the King went himself to *Nottingham*, where he arrived on *Whitsunday*, and staid some time in those Parts in expectation of him, but he came not at all; only he sent back the Messengers with the same Demand of the two Counties, and to let the King know, That if he denied his Demands, he would endeavour to acquire them by Force, and expected his Answer within Forty days: In the mean time, King *John* committed *Northumberland* and *Cumberland*, with their Castles, to the Keeping and Defence of *William Stutevil*, and so returned into the South of *England*.

[3] Having thus dispatched his Affairs in *England*, the King passed into *Normandy*, landed at *Diepe*, and arrived at *Rouen* on *Midsummer-day*, where came in to him great numbers of Soldiers both Horse and Foot; but presently there was a Truce made between him and the King of *France*, until the 16th of *August*; and here *Philip* Earl of *Flanders* did homage to King *John*, but it is not there said for what. Then the King's Natural Brother *Geoffrey* Archbishop of *Tork*, having dispatched his Affairs at *Rome*, return'd to the King, and was joyfully received by him.

About

Anno Dom.
MCXCIX.

[4]
Id. p. 452. (a)
The E. of Na-
mur and his
Brother, the
Bishop Elect
of Cambray,
taken Priso-
ners.
The Bishop of
Beauvais ran-
somed.

[5]
The King of
France re-
ceives Ho-
mage of Earl
Arthur for
Bretagne, Nor-
mandy, and
the rest.
A Treaty is
held between
K. Philip and
K. John, at
which the for-
mer shews he
latter no kind-
ness.

[6]
The King of
France his un-
reasonable
Demands.

[7]
They break
off upon very
ill Terms.

[8]
The King of
France seizes
on the Castle
of Balun, and
demolishes it,
which is high-
ly resented by
the General
of Earl Ar-
thur's Forces.

About [4.] the same time Henry Earl of Navarre, Brother to Phi-
lip Earl of Flanders, Peter of Demay a Famous Soldier, and his Bro-
ther the Bishop Elect of Cambray, were taken by some of the French
King's Soldiers, and delivered to him; whereupon Cardinal Peter of
Capua, and the Pope's Legate Interdicted France for the Detention
of the Elect of Cambray, as also Normandy for the Imprisonment of
Philip Bishop of Beauvais; but because he was taken in Arms, he
soon after gave King John 2000 Marks (M. Paris says 6000.) for
his Ransom, and so was set at Liberty, upon his taking an Oath
never to bear Arms against Christians.

Not [5] long after, Philip King of France Knighted Arthur Earl of
Bretagne, and received his Homage for that Province, as also for
those of Normandy, Anjou, Poitou, Tourain, and Bretagne: On the
morrow after the Assumption of St. Mary or (August the 16.) the
two Kings treated two days by their Commissioners, between Buti-
vant and Gaillon, and the Third day they confer'd together by them-
selves in Person; but the King of France would express no kindness
to King John, and being afterwards asked, why he had entertain'd
such an Aversion for him, his Answer was, *Because he had possessed
himself of Normandy, and the other Territories, without his Licence, whereas
he ought first to have come to him and demanded them as his Right, and
done him Homage for them*; so much did King Philip now take upon
him, above what any of his Predecessors had done before; for
whereas they thought it sufficient to own for Duke of Normandy,
whomsoever the Estates of that Country thought fit to Elect or Re-
cognize, this King now took upon him to determine to whom of
Right that Duchy belonged, which had never been done before.

At [1] this Treaty the King of France demanded all the Norman
Venon, that is, all that lies between the Forest of Lyons, the Seine, the
Isle of Andelis, and the River Epte, affirming, That Geoffrey Earl of
Anjou, the Father of the late King Henry, had given it to Lewis the
Great, late King of France, for his Assistance in gaining Normandy
from King Stephen; and further demanded, that Poitou, Anjou, Tour-
rain, and Maine might be render'd to Arthur Earl of Bretagne, and
made divers other unreasonable Demands, which the King of England
could not grant, and so they departed upon very ill Terms: Then
the Earls and Barons of France, that had adhered to King Richard,
became Feudataries of King John, and Swore to him, they would
not make any Terms with the King of France, unless with his Con-
sent; and he in like manner Swore to them, he would not make
Peace with him, unless they were comprehended in it.

In [2] October the King of France seized the Castle of Balun, and
demolished it. This was much resented by William de Rupibus (or
de la Roche) General of Earl Arthur's Forces, who Expostulating
with King Lewis about it, told him, That this was contrary to the
Agreement between him and Arthur his Master; but the King re-
plied, He should not omit to do what he thought good, with
what he had acquired, notwithstanding his Lord Arthur might not
like it; and then went and besieged Lavardin; but hearing the King
of England was coming with his Army to Relieve it, he left the Siege,
and marched to Mans; King John followed him, and he also quit-
ted

ted that Place; in the mean while *William de la Roche* had cunningly gotten *Arthur* out of the Custody of the King of *France*, and reconciled him to his Uncle King *John*, to whom he also delivered the City of *Mans*, of which he was Governor. But notwithstanding the very same day, it being told *Arthur*, and the Countess his Mother, (whether on true or false Intelligence, I will not determine) that King *John* intended to put him in Prison; thereupon he and his Mother that Night made their Escape; but the true Reason of this seems rather to have been, because the Viscount of *Touars*, (on whose advice the Countess and her Son then chiefly relied,) had been lately disoblged by King *John*, out of whose hands he had taken the Command of the Castle of *Chinon*, and the Seneschalsy of *Anjou*; the former of which the King bestowed upon *Roger* Constable of *Chester*, till he could resolve how better to dispose of it; wherefore the Viscount above-mentioned, incensing the Earl and his Mother, against the King, presently they fled away together with many other Noblemen, to the City of *Angiers*, and from thence return'd again to the King of *France*.

[3] Not long after their arrival, the Countess of *Constance* having now quite alienated her Affections from *Ranulph*, Earl of *Chester*, her Husband, was divorced from him, (tho' the Grounds of it are not set down) and then she married *Guido*, Brother to the said Viscount of *Touars*, which tended much to her Dishonour.

In [4] the mean time, the Cardinal of *Capua*, the Pope's Legat, who had been formerly sent to reconcile the Differences between the late King *Richard* and the King of *France*, and at whose instance a Five years Truce had been lately made, now laboured all he could that it might still continue between the Two Kings; and so by his Mediation it was agreed between them, That the former Truce should still continue till the Feast of *St. Hillary* next ensuing; thus all things remain'd for a while in the same state.

About [5] this time also *Philip*, Natural Son to King *Richard*, and on whom he had bestowed the Castle and Honour of *Cuinaç*, killed the Viscount of *Limoges* in revenge of his Father's Death; for it was he who held the Castle of *Chaluz* against King *Richard*, when he received his Death's wound. This I thought fit to mention, as being the only Action I can find worth the Noting, done by this *Philip*, who lived ever after in a private Condition.

But to give you some farther account of Foreign Affairs: There had been a late Contest between *Otto*, Duke of *Saxony*, and *Philip* Duke of *Swevia*, for the *German* Empire, to which they both pretended; Pope *Innocent* and all the *Romans* disclaiming the Latter, owned the Former, Emperor; who being thus confirm'd by the Pope; He also in his favour Excommunicated Duke *Philip*, and all his Adherents, unless he desisted from his Pretensions; whereupon the Emperor *Otto* sent Ambassadors to his Uncle King *John*, not only to give him notice of his good Success, but also to advise him to defer making Peace with the King of *France*, for that he himself would shortly give him as powerful an Assistance as he could expect.

Anno Dom.
MCXCIX.

William de la Roche gets Earl *Arthur* out of the Custody of the French King, and reconciles him to his Uncle King *John*, but it does not hold. For with his Mother he presently returned back to King *Philip*, with the Cause of it.

[3] *Id. ib.*
Constance, Countess of *Bretaigne*, is divorced from the E. of *Chester*, and marries *Guido* Brother to the Viscount of *Tours*.

[4] *Id. ib.*
The Pope's Legat uses his utmost Endeavours to continue the Truce between the two Kings.

[5] *Id. ib.*
Philip, Natural Son to King *Richard*, Kills the Viscount of *Limoges*.

Id. p 452. (a)
After a great Contest between *Otto* Duke of *Saxony*, and *Philip* Duke of *Swevia* for the Empire, the Pope and *Italians* disclaim the latter, and own the former.

Anno Dom.

MCXCIX

[1]

Id. eb. (6)

Geoffrey Arch-

bishop of York

refusing to

stand to the

Award of the

Bishop of Lin-

coln & others,

and giving

his Chapter

fresh distur-

bance, the

King is advi-

sed not to let

him return

into England.

Anno Dom.

MCC.

[2]

M. p. 454. (6)

K. John has a

Treaty with

the King of

France, at

which a Peace

is concluded,

upon Terms

very advanta-

geous for the

Latter.

[3] Id. ib.

The King re-

turns into Eng-

land, and raises

a great Tax,

and then goes

to York to meet

the King of

Scots, who

comes not.

Rot. Pip. 1 Jo-

han. Civitat.

London and

Middlesex.

[4] Id. p. 456. (a)

The Queen-

Dowager

brings Lady

Blanche out of

Spain as far as

Bordeaux.

Upon the Ar-

rival of this

Princess, the

two Kings

meet again,

and make a

full Concluf-

ion of the for-

mer Treaty.

As for Ecclesiastical Affairs, there happened this Year no Alterations in the Church, [1] only whilst Geoffrey Archbishop of York stayed in Normandy, he refer'd all Differences between him and the Chapters of his Church, to Hugh Bishop of Lincoln and others; but the Archbishop not standing to the Award they had made, and still giving his Chapter further disturbance, they made their Complaint to Hubert Archbishop of Canterbury, and Geoffrey Fitz-Peter, the Justiciary, who thereupon sent to the King, advising him not to permit the Archbishop to return into England, because if he came over, he would bring Discord and not Peace along with him.

King John being still in Normandy kept his Christmas at Baers; not long after which, he and the King of France held a Treaty of Peace between Andeli and Gallion, at which they agree; That Lewis the French King's Son, should Marry Blanche, Daughter to Alfonso the Eighth, King of Castile, being King John's Niece, with whom he promised to give the City and Earldom of Euxen, as also to quit his Claim to all the Castles and Strong Places which King Philip held in Normandy at the time of King Richard's Death; and farther engaged to give with her 30000 Marks of Silver, and to Swear, that he would not give any Assistance to his Nephew Otto either in Men or Money, whereby he might obtain the Roman Empire; but the final Conclusion of these Points was delay'd until eight Days after Midsummer following.

This Treaty being thus ended, King John sent his Mother Queen Eleanor to Alfonso King of Castile, to persuade him to agree to this Match for his Daughter, as also to bring her along with her.

[3] Not long after King John passed into England, and took of every Plough-Land throughout the Kingdom Three Shillings for an Aid; but whether the King raised this Tax by the consent of the Common-Council of the whole Kingdom, I will not determine; since Rad. de Coggeshal relates it as a Grievance, that not long after the King's arrival in England, he required an Aid for the Discharge of the 30000 Marks for his Niece's Portion, so that there issued out a Royal Edict throughout all England, * That every Plough-Land should pay Three Shillings, which severe Exaction did extremely impoverish the People, who had lately payed at his Coronation a Scutage of Two Marks upon every Knight's Fee.

In Lent he went to York, expecting the King of Scots would have met him there, but he came not; then he presently after returned into Normandy, having first kept his Easter at Worcester.

[4] In the mean time, Eleanor, the Queen-Dowager, having brought her Grand-Daughter Blanche as far as Bordeaux, and being weary with her Journey, retired to the Nunnery of Font-Everard to refresh her self; but she sent the young Princess under the Conduct of the Archbishop of that City, to the King; and so soon as she arrived, the two Kings met again at the same Place, and at the time before appointed, (being Eight Days after Midsummer) in order to make a full Conclusion of the former Treaty; at which Meeting the King of France surrender'd back to King John the City of Euxen with the Earldom, and all the Castles, Cities, and Lands he had possessed himself of in Normandy, and the other Dominions of the King of England; and King John presently became his Liege Man, and did him

him Homage, and forthwith gave back all those Territories to Prince *Lewis* in Marriage with his Niece, as had been before agreed on, *MCC.* and the next day they were solemnly Married in *Normandy*, by the Archbishop of *Bourdeaux*, in the Presence of several of the Bishops, Earls, and Barons of *France*; for the Marriage could not be solemnized in that Kingdom, as being then under the Pope's Interdict, because the King of *France* had sometime before put away of it.

* *Isenburge*, Daughter to the King of *Denmark*, (for no other reason, but that he did not like her) and had taken to his Bed one *Agnes*, a German Princess, whom he called his Wife. *She is called by our Authors Brilda.*

[5] So soon as the Wedding was over, Prince *Lewis* carried his New Bride with him into *France*, and the same day the Two Kings met again at *Vernon* (a Town belonging to the French King) where Duke *Arthur* did Homage to his Uncle King *John* by consent of King *Philip* for *Bretagne* and his other Countries, and was again delivered to the King of *France*, in Tutelage. *Id. ib. (5) The young Prince carries his Lady into France. D. Arthur does Homage to his Uncle K. John for Bretagne.*

And that this Peace might remain the more firm and stable, [1] all the Articles already recited, were some time after reduced into Writing under the Great Seal of both Kings, wherein it was among other things agreed, that divers of the Chief Earls, and Barons of each Kingdom, should stand engaged for the punctual Observance of it, who were also on both sides obliged by Oath, that whosoever of them broke this Agreement, these Guarantees, together with all their Tenants, Estates, should be freed from their Fealty, and have Liberty to quit their own Prince; and tho' the Particulars of this Peace are now of no great concernment to us, yet it shews, what Notions the Princes of that time had concerning the Fealty or Allegiance of their Subjects; which they did not think then so sacred a Thing, but that it might be transferr'd from one Prince to another, in case that either of them broke those Articles to which they had Sworn. *[1] Id. p. 463. (a) The Articles of this Peace are reduced into two Charters, seal'd by both Kings.*

It is also observeable, That in consideration of Thirty thousand Marks, which the King of *France* then acknowledged to have received from the King of *England*, King *Philip* did thereupon release and make over to him all his Right to the Fee or Superiority of *Bretagne*, so that Duke *Arthur* was for the future to hold *Bretagne* immediately of the King of *England*.

This Treaty consisting of two several Charters, or Instruments, that Part which was Seal'd by the King of *France* (as you may find in [2] *Roger Hoveden*) remain'd with the King of *England*; and that Part which the King of *England* executed, remain'd with the King of *France*, which is also to be found in the First Volume of *Norman Writers*, put out by [3] *Du Chesne*; as also in the Learned *Monfieur Leibnitz's Codex Diplomaticus*, p. 23. to both which I refer the Curious Reader. *[2] Id. ib. [3] Ed. Paris, F. 1055.*

This Peace, so Disadvantageous and Dishonourable to King *John*, was the first demonstration both of his want of Courage and Policy, for had he deferr'd making it, he might by the Assistance of the Emperor, his Nephew, and the Earl of *Flanders*, have regain'd those Territories in *Normandy*, and other Countries, which he was now forced to part with for ever, and had also kept the Thirty

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thousand Marks which he gave to the King of France as a Portion with his Niece, whom he was no ways obliged to provide for, and thereby lost the Friendship of the Emperor, for the feigned Careless of a Prince, who hated him mortally, and had never made this Alliance, but for his own Advantage; and who afterwards under the Title of this Match, did abet his Son Lewis against him.

[4]
Id. p. 457. (a)
K. John reduces Aquitaine to his Obedience.
Grows weary of his Wife, and is Divorced from her, on pretence of Consanguinity.

[4] Immediately after the Conclusion of this Peace, King John marched with a strong Army into Aquitaine; where finding none able to resist him, he soon reduced that Province to his Obedience; not long after, being grown weary of his Wife Hawise, or Avisa, Daughter to William late Earl of Gloucester; He was divorced from her by Elias, Archbishop of Bourdeaux, and Two other Bishops appointed by the Pope for that Purpose, because they were Cousins in the Third Degree; which Exception had been taken long before against the Marriage, by Richard, late Archbishop of Canterbury, when it was first Consummated; but it was then carried against him, because King Richard would have it so, and that King John was then either very fond of her, or else of her great Estate: But having been married to her above Nine years without any Issue, he was resolved to be rid of her, and marry some Younger Lady; wherefore being thus divorced, by the Advice of the King of France, he married Isabel, Daughter of Aymer Earl of Engolesme, whom her Father had formerly, at the Request of King Richard, betrothed to Hugh le Brun, Earl of Marche: They had been affianced some time before; but the Marriage not being Consummated, because the Lady was thought too Young, her Father now finding King John had a great Kindness for her, being very Handsom, took her away from the Earl against his Consent, and bestowed her upon the King; so that they were soon after Married at Engolesme, by the Archbishop of that Place; but this Injury was so deeply resented by the Earl of Marche, that he resolved to be revenged of it, and did King John a great deal of Mischief in the long War that not long after happened between him and the King of France.

He marries Isabel Daughter to the E. of Engolesme, tho' she was then betrothed to the E. of March.

[5]
Id. p. 458.
The E. of St. Giles does Homage to K. John.

[5] Much about this time, the Earl of St. Giles renewed his Homage to King John, for the Lands and Castles which King Richard had bestowed on him in Marriage, with his Sister the Queen-Dowager of Sicily, from whence the King went to Angiers, and there took 150 Hostages for their Fidelity to him, and put them under safe Custody.

[1]
Id. p. 461. (a)

In [1] the beginning of October following, King John having settled his Affairs in Normandy, and his other Territories beyond Sea, return'd into England, bringing with him Isabella his Wife, and upon the Eighth of the same Month, they were both together Crowned at Westminster, by Hubert Archbishop of Canterbury, at whose Coronation there was also held a Common Council of the Kingdom, as appears by a * Charter in the Tower (quoted by Mr. Petyt in his Preface to the Rights of the Commons Asserted) where it is recited, That the Queen was Crowned by the Common Assent and Unanimous Agreement of the Archbishop, Bishops, Barons, Clergy, and People of England; which I have also given you at large in the Appendix, N. 4.

* Rot. Cart. 5
John. 5. n. 33.

And

And [2] about the same time the King [3] caused his Brother *Geoffrey*, Archbishop of *York*, to be disseised of all his Mannors and Estate belonging to his Archbishoprick, upon pretence that he had fail'd attending of him beyond Sea, when he made Peace with the King of *France*; but the true Reason was, that he had forbid the Sheriff of *Yorkefbire* to collect the late unreasonable Carvage or Tax in his Diocefe, to the King's use, though it had been granted him all over *England*; then *James de Potern*, Sheriff of *Yorkefbire*, entered upon the Mannors of the Archbishop, and seized his Goods; whereupon he solemnly Excommunicated him, and all those who were the Authors of this Violence; but some time after, the King upon better Advice, restored him to his Archbishoprick, and appointed him a Day to answer for the said Misdemeanours in his Court.

[4] And not long after the Queen's Coronation, the King sent *Philip* Bishop of *Durham*, *Roger Bigot*, Earl of *Norfolk*, *Henry de Bohun*, Earl of *Hereford*, *David* Earl of *Huntingdon*, *Roger de Lacy* Constable of *Chester*, *William de Vesci*, *Roger de Ross*, and *Robert Fitz-Roger*, Sheriff of *Northumberland*, to attend *William* King of *Scots*, with Letters of safe Conduct, and to wait upon him into *England*, he being to meet King *John* at *Lincoln* on the 21st of *November*, where they met accordingly; and the next Day they came to a Treaty or Interview upon a steep Hill without the City, where in the View of all the People, *William* King of *Scots* became King *John*'s Liege-man, or did him Homage, * as of Right, and swore Fealty to him upon the Cross of *Hubert*, Archbishop of *Canterbury*, to Preserve the King's Life, Limbs, and Temporal Honour, against all Men, and keep Peace with him and his Kingdom, saving his own Right: This Homage was solemnly perform'd in the Presence of the Archbishops of *Canterbury* and *Dublin*, with most of the Earls and Barons of both Kingdoms, many of whose Names *R. Hoveden* hath particularly mentioned, which would be tedious here to set down; therefore I refer the Reader (who is Curious in such Matters) to that Author.

This Homage being thus perform'd; the King of *Scots* demanded of his Lord King *John*, the Counties of *Northumberland*, *Cumberland*, with their Appurtenances, as his Antient Right and Inheritance; and when they had long Treated concerning this Matter, but could not agree, the King of *England* desired longer time to consider of it, until *Whitsunday*; then Early on the Morrow, (being *November* the 23.) the King of *Scots* return'd toward his own Country, under the Conduct of the same Persons that brought him into *England*, being much discontented at his Disappointment.

But *Buchanan*, and the rest of the *Scotish* Historians, tho' they grant this Homage to have been perform'd in the same Manner, as our Historians relate, yet will needs have it to have been only for the Territories, which the King then held in *England*, yet say nothing of his Demanding the Countries above-mentioned; only that he parted with King *John* in Discontent, because he would have had his Assistance in an Expedition against the King of *France*, which he did not like to grant. This, tho' it be also related by *Polidore Virgil*, is certainly a gross Mistake; for as none of our Ancient Hi-

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[1]

Id. ib.

[3]

Id. p. 461. (a)

The K. seizes
on the Tem-
poralities of
his Brother
Geoffrey, A.B.
of *York*, and
for what cause

[4]

Id. ib. (b)

Divers Noble-
men sent to
attend the K.
of *Scots* into
England.The two K's
meet at *Lin-*
coln.

De Jure sui.

The *Scotish* K.
does Homage
to K. *John*.The K of *Scots*
renews his
Demand of
Northumber-
land, &c. but
being put off
returns into
his own
Country.The Error of
Buchanan and
other *Scotish*
Historians,
concerning
this Homage.

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Historians mention any such thing; so King John could not desire the Scottish King to assist him against the French; because there was then a Peace newly made between them: And as for the Homage it self, it must certainly be for some part of Scotland; for as to Northumberland, and the other County above-mentioned, 'tis plain, that the King of Scots had not then any Part of them; and as for the Earldom of Huntingdon, that King had long before bestowed it upon his Brother David, who is also particularly mentioned by Hoveden under that Title, as one of the Witnesses of the Homage. So that nothing can be more evident, then that it was not perform'd for any Territories the King of Scots then enjoy'd in England, as Buchanan vainly supposes, and consequently must have been for Lothian and some Parts of Scotland.

But to return again to our History, from which this Affair has made us digress; King John having dispatched this difficult Business with the King of Scots, return'd into the Southern Parts, where having nothing else to do, being very much pleased with his good Success, he spent the rest of his time in Feasting and Jollity.

I shall conclude this Year with a short Account of Ecclesiastical Affairs, that happen'd during the King's Absence in Normandy.

[5]
Id. ib. 457.
The first Synod that was held by the Pope's Legate, notwithstanding the Prohibition of the King's Justiciary.

[5] Hubert, Archbishop of Canterbury, as Legate to the Pope, held a General Council or Synod, of all the Bishops and Clergy of England, at Westminster, notwithstanding the Prohibition of Geoffery Fitz-Peter the King's Justiciary; which is one of the first Examples of that Arbitrary and Independant Power, the Archbishop of Canterbury, and other extraordinary Legates from the Pope, ever after Usurp'd till the Reformation, of holding Ecclesiastical Synods, and making Canons by their sole Authority, without the King's License or Confirmation; Nay often contrary to his consent, which had not been practis'd in former times; but as for the Canons of this Council, since they only relate to the Reformation of the Clergy, in several points of Discipline and Manners, or concerning the more due and regular Administration of the Sacraments, (many of which had been already ordain'd in former Synods,) I think it needless to set them down, and shall therefore refer the Reader to R. Hoveden for his further Satisfaction.

[1]
M. p. 461. (6)
The Death of Hugh Bp. of Lincoln, the Kings of England and Scotland attend at his Funeral.

[1] Some days also before the late Interview at Lincoln, deceased that Pious Prelate Hugh, Bishop of Lincoln, who was the great Example of that Age for Piety, Chastity, and all other Christian Virtues; and was in such Reputation, that his Body being brought to Lincoln to be interr'd, whilst King John came thither to meet the King of Scots, the King himself, and Three Archbishops, with all the Bishops and Barons that attended at that Solemnity, went out in solemn Procession to meet the Corps; nor did that King with his Chief Nobility, think it beneath them to bear it on their Shoulders to the Door of the Church, where the Archbishop and Bishops received it, and carried it into the Choir, depositing it there all Night, till it could be buried near the Altar of St. John Baptist; where his Tomb is shewn at this Day: But as for the Miracles which our Historians relate to have been performed there, such as that of a Woman who had been Seven Years blind of one Eye, and received her Sight at his Funeral; and of a certain Cut-purse, who as soon as he

Divers Miracles related to be done at his Tomb.

he

he had got his Booty had his Hands so shrunk up that he could not stir them, so that he was not able to hold what he had taken, I leave them to be told and believed by those who have a greater Faith in such things than my self; nor should I mention them at all, were they not Related by Authors of so good Credit in other things.

I must here also take notice of what was done this Year in France; in Relation to that King, and his Queen *Isemburge* or *Botilda*, whom he had put away, and which had been the Cause of the Pope's Interdict upon France; which yet was some time before taken off, upon the Kings promise to receive his Queen again, or else to stand to the Decision of the Pope's Legate: Wherefore the Pope now sent *Octavian*, Bishop of *Ostia* to Hear and Determine the Cause; at what time the King of France, who desired to be Divorced from his Queen, alledged, that they were too near of Kin to be Married; which being denied by the Ambassadors of the King of *Denmark* (who appeared for her) and also because they looked upon this *Octavian* as the King's Relation, who consequently would be too favourable to him; they appealed from him, to the Pope himself: But Three Days after another Legate came thither, who was more indifferent, and upon hearing the matter over again, found no cause why a Divorce should be pronounced between them. But when he was going to give a definitive Sentence against the King, He being forewarned of it, carried her away along with him on the sudden; and tho' he pretended to take her to him as his Wife, yet he still kept her under a closer Confinement than before, which yet put an end to this troublesome Affair; and indeed the Queens and Princesses of that Age had a very hard time of it; for Dispensations from the Pope being not then in fashion, if a King or a Prince were weary of his Wife, and if he could make himself any way Related to her (tho' it were Three or Four Degrees removed, provided he could gain the Pope's Legate on his Side, it was sufficient to obtain a Divorce. Yet it seems in this Case the Pope thought them too far off Related to grant it; for King *Philip* and this Queen were only Cousins in the Fourth Degree, by which means tho' she kept the Title of Queen to her Death, and saw *Agnes* her Rival de cease before her, yet did she thereby obtain no better Treatment from the King her Husband?

This [3] Year King *John* kept his Christmas at *Guilford*, with great Solemnity, and distributed many rich Cloaths or Liveries to his Knights, or Military Men; whilst the Archbishop did the like at *Canterbury*, as it were vying with him in Magnificence; which very much incensed the King (as very well it might) against that Prelate. Not long after Christmas, the King with his Queen, went on Progress as far as the Borders of *Scotland*, and in his Journey, he laid great Fines upon those, who had any ways Trespased in his Forests; when he came to York, he was Reconciled there to *Geoffrie*, the Archbishop; and by the Mediation of Four Bishops, and Four Barons, chosen by both Parties, all Differences were composed between them; and those also whom the Bishop had Excommunicated for performing the King's Commands, were Absolved; notwithstanding.

Anno Dom.
MCCID.

The Pope
Sends a Le-
gate into Fr.
to hear and
determine the
matter con-
cerning
the Q's Di-
vorce.
Another Le-
gate come in-
to France, who
will not pass
Sentence for
the Divorce
who thereup-
on takes a-
way the Q.
and puts her
under a closer
Confinement.

The Pope
Sends a Le-
gate into Fr.
to hear and
determine the
matter con-
cerning
the Q's Di-
vorce.
Another Le-
gate come in-
to France, who
will not pass
Sentence for
the Divorce
who thereup-
on takes a-
way the Q.
and puts her
under a closer
Confinement.

Anno Dom.
MCCII.

[3]
Id. p. 464 (a)
The K. keeps
his Christmas
at Guilford,
whilst the A.
Bp. does the
like at Canter-
bury, and vies
with the K. in
magnificence.
The K. and
Q. go on
Progress as far
as the Borders
of Scotland,
and by the
way he is re-
conciled to his
Brother Geoff-
rie A. Bp. of
York.

Anno Dom.
MCCL.

The Pope
threatens to
Excommuni-
cate that A.
Bp. and upon
what occasion

notwithstanding the Quarrels between the Archbishop and his Dean and Chapter were again Renewed; as also with the Archdeacon of *Richmond* concerning the Right of Presentation to certain Churches; who Appealing to Pope *Innocent*, he writ a very high and angry Letter to the Archbishop: Commanding him to do Right to the Archdeacon, and to Absolve those, whom he had unjustly Excommunicated, or else to Incurr the same Sentence himself.

I have taken notice of this, to let you see the absolute and arbitrary Power which the Pope then Executed over one of the Primates of *England*, who (tho' the King's base Brother) was threatened to be Excommunicated, without being heard; so great an advantage was 'it in those Days to complain First; he that Appealed being still most likely to carry the Cause.

[4]
Id. p. 466. (b)
The K. and
Q. are again
Crowned at
Canterbury.

[4] But now (as if the First Coronation had not been sufficient) on *Easter Sunday* following the King and his new Queen, being at *Canterbury*, they were there again solemnly Crowned in the presence of *John* Archbishop of *Dublin* and other Bishops in the Cathedral Church, by *Hubert* the Archbishop; for such was the Superstition of those times, that Princes believed their Crowns could not sit fast enough upon their Heads, unless they were more than once Solemnly put on by the Archbishop of *Canterbury*. Immediately after this Solemnity, he Commanded the Earls and Barons of *England* to be Ready with their Arms at *Whitsuntide* following, to pass over with him beyond Sea, for the *Poictouins* had Rebelled against their Governors, and had besieged them in their Castles; but *Warren de Glapion*, Seneschal of *Normandy*, had by the King's Command besieged the Castle of *Driencourt*, which King *Richard* had before given to *Ralph de Issodun*, Earl of *Edwe*, Brother of *Hugh de Brun*; but the King of *France* hearing of King *John's* coming over, had marched into the Country to his Assistance, and raised the Siege for him, before He arrived in *Normandy*.

Earls and B's.
summoned
to be ready to
pass over be-
yond Sea, and
on what occa-
sion.

[5]
Id. Ib.
The Noble-
men of Eng-
land refuse to
attend the K.
unless he
would restore
their ancient
Rights.
who instead
of that seizes
on several of
their Castles;
so that many
of them go
with him.

[5] Before the Kings departure, the Earls and Barons of *England* assembled at *Leicester*, and there having a Treaty or Conference together, sent the King word, they would not go over with him, unless he would Restore to them their ancient Rights; that is the Liberties that were formerly granted them by his Predecessors; but tho' it might not be so Loyally done of them thus to press the King at such an Exigency, when his Affairs required haste, yet certainly he took much worse Advice, when instead of granting their Request; he presently demanded of them their Castles as Pledges of their Fidelity, and particularly he made *William d' Aubeny* to deliver up his Castle of *Beaumont*; yet it seems most of them were at last prevail'd with to go over with him; for our Author tells us, that the Barons of *England* being assembled at *Portsmouth* in *Whitsun-week*, to pass over with the King, He took Money of most of them to be excused, and permitted them to go home: *Mat. Paris* tells us, it was Two Marks on each Knights Fee. in [1] the mean time the King sent *William* the Marechal, Earl of *Striguil* before into *Normandy* with an Hundred Men at Arms, and *Roger de Lacy*, Constable of *Chester* with another Hundred, to repel the Attempts of his Enemies on the Borders of *Normandy*; he

[1]
Id. Ib.
The Earl of
Striguil, and
other Noble-
men are sent
before with
Men to repel
the Attempts of
his Enemies.

he also delivered to *Hubert de Burgh* his Chamberlain, a Hundred Knights or Horsemen to defend the Borders of *England* and *Wales*, and that he might give no cause of Discontent to the Clergy, and yet might raise what Money he could. He fully pardoned his Brother *Geoffrie* Archbishop of *York*, and restored him to his Favour; as also to all his Mannors and Free Tenents, and by his Charter Confirmed all the Liberties of that Church in as ample manner as *Roger* the late Archbishop had held them, for which confirmation the present Archbishop engaged to pay the King a Thousand Marks in a Year's time, and engaged his Barony to him for Security.

Anno Dom.
MCCI

He restores
the Archbi-
shop of *York*
to his Lands.

[2] Then the King sent *Geoffrie* Bishop of *Chester*, *Richard Ma- lebisse*, and *Henry de Pudsey* to *William* King of *Scots*, to desire him, that the Term of returning an Answer to the Request he had lately made concerning *Northumberland*, and the other Counties already mentioned, which King *John* had promised to give at *Whitsuntide*, might be put off, till Michaelmas following; this was Politically done, to prevent the King of *Scots* from laying hold of the King's failing to return an Answer at the time appointed, as a pretence to Invade *England* in his Absence. And thus the King having settled all things at home, as well as He could, and being gone on Shipboard together with his Queen; upon some sudden Business not mention'd, he put in at the Isle of *Wight*, whilst the Queen continued her Voyage into *Normandy*; however the King after some Days stay, took Shipping again at *Portsmouth*, and presently after his arrival on the other side the Water, there was an Interview between him and the King of *France*, near the Isle of *Andelie*, where they agreed very well, tho' none were present but themselves: Three Days after, King *John* at the Invitation of the King of *France*, went to *Paris*, and was there magnificently Entertain'd in the King's own Pallace, the French King himself, lying elsewhere: After some stay there, the King of *England* taking his leave, went to *Chinon*, where his Sister in Law *Berengera*, the Queen Dowager met him, whom he fully satisfied concerning her Dower, according to the Testimony of *Philip* Bishop of *Durham*, and others who were present at her Marriage; the King then also settled upon her the City of *Bayeux* (that is the Duties and Revenues thereof) and Two Castles in *Anjou*, with a 1000 Marks Sterling per Annum, Five Hundred of which were to be Received from the King's Exchequer at *London*, and the other Five Hundred at *Caen* in *Normandy*.

[2]

Id. ib. p. 466 (a)
The K. sends
Ambassadors
to the King of
Scots, desiring
longer time
to give his
Answer con-
cerning *North-*
umberland;
Sec. and the
reason of it.

The K. fol-
lows the Q.
into *Normandy*
where there is
an interview
between him
and the K. of
France, where
they agree
very well, and
he invites K.
John to *Paris*.
Q. *Berengera*,
meets the K.
at *Chinon*.

But notwithstanding all King *John's* great preparations, I do not find any thing considerable He did against the Rebellious Barons of *Poitou*, [3] only, that resolving to accuse them of Treason against himself and the late King his Brother; he underhand procured some ordinary Gentlemen of his Subjects, very well skill'd in the Art of Duelling, who as his Champions, were (as soon as those Barons appeared at Court) to accuse them of Treason, and Fight them: But they, who being forewarned of it, refused (tho' Summon'd) to come thither, sending him word, that they would Answer none upon that account, but their Peers, and so they became more implacable against him, than they were before, which is another Proof of this King's Pusillanimities; who when he had a suf-

[3]
Id. ib. p. 468 (a)
K. *John* does
nothing con-
siderable a-
gainst the Re-
bellious B. of
Poitou, only
procures
Champions to
accuse them,
and fight
with them.

ficient

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MCCCL.

[4]

Id. lb.

The Peace is again renewed between the two Kings one Covenant of which was that the Barons who were their Securities were to be discharged from their Allegiance to that P. who first broke the Peace.

[2]

Id. lb. p. 468 (a)
The K. Justices go to Boston Fair, to seize all Cloaths that were not full measure; but upon payment of a great Sum of Money by the Merchants, their Cloaths are not seized.

[5]

Id. 468. (a)
John de Courcy Earl of Ulster being put to flight by Hugh de Lacy, is seized by Hugh de Lacy in his Castle.

In Camden's
Britannia
ad finem.
John de Courcy
treacherously
taken Prisoner
by his own
Men.

sufficient Force, to reduce them to Obedience; would let so great an Insolence go unpunished, which was the cause of their taking up Arms against him the Year following. [4] The King of France seemed still very willing to observe the Peace, and to make it more Firm, it was again renewed, and put into Writing, in which it was specified, that whosoever of the Two Kings first broke it, those Barons which were his *Fidejussors* or Security, for the true Observation of it, should be discharged from their Allegiance, and take part with the injured King against their own.

[2] In the mean time all things remaining quiet, nothing happened in England worth mentioning; only *Hugh Bardolf* and other of the Kings Justices going to *Boston Fair*, with an intent to seize to the Kings use all Woollen-Cloaths that were not two Ells within the Lists, according to King *Richard's* late Assize, or Statute; the Merchants so prevailed with the Justices, that their Cloaths were not seized, nor the late Assize concerning the Breadth of Cloaths, nor the measure of Grain further observed; so that for the future they might make their Cloaths as broad or as narrow as they pleased; for which License (tho' to the Damage of many) the Justices procured a great Sum of Money to the King's use, this, tho' there was no express Dispensation, but only a bare Connivance of the breach of the late Laws concerning Measures; yet, serves to let us see, how pernicious this Prerogative of dispensing with wholesome Law, has been to this Nation in all Ages.

Nor can I omit taking some notice of what was done in Ireland this Year, [5] where it seems the King's Authority was of small account, the great Men of the Kingdom making War upon each other, when they pleased; for *Walter de Lacy*, a powerful Noble Man in Ireland, under the pretence of holding a Treaty with *John de Courcie* Earl of Ulster, fell upon him on the sudden, killed many of his Men, and routed the rest, but *John* being in his flight pursued; *Hugh de Lacy* Brother to *Walter*, (being his Liegeman) invited him to take shelter in his Castle, till his Forces could be rallied; which he accepting, and going into the Castle, was there detained Prisoner by this *Hugh*, who designed to deliver him up to the King, against whom he had then taken Arms; but in the mean time the followers of, and adherents to Earl *John*, did not cease to waste the Lands of *Walter* and *Hugh de Lacy*, until such time as they would set their Master Free; as they were soon after forced to do.

[1] But the *Irish Annals* further inform us, that on Good-Friday following, when the said Earl *John* was going unarmed and bare-foot on Pilgrimage in a Linnen Garment to a Church, (after the usual manner of those times) he was treacherously taken Prisoner by his own People, for a Sum of Money, and so was again delivered to *Hugh de Lacy*, who brought him over Prisoner to King *John*: Whereupon he bestowed on this *Hugh* the Earldom of Ulster, and the Lordship of *Cannought* for this good Service, which before belonged to the said *John de Courcy*.

As for Ecclesiastical Affairs of this Year, [2] the *Holy Land* being now almost all lost, the Pope wrote an earnest Epistle to the Archbishops and Bishops of *England* to contribute a Fortieth part of their Ecclesiastical Revenues to the Relief thereof; and to take care that the Clerks in every Diocese did the same; also the Master of the Hospital of *Jerusalem* wrote a lamentable Epistle to the Prior and his Brethren in *England*, moving them very earnestly for Relief, and that they would induce the King and Great Men to assist them; [3] then the Pope reflecting seriously upon their sad and dangerous Condition, sent a Cardinal Legate to the Kings of *France* and *England*, requiring them to cause another Tax to be raised in their Dominions for the Relief of the *Holy Land*. Upon which message and request the Two Kings consented to give the Fortieth part of all their Revenues for one Year; and the King of *England* would have it levied on all his Revenues; and on the Wardlands and Escheques in his Hands; and farther Commanded, that all Laymen of his Dominions should contribute a Fortieth part of all their Rents as an Aids for the Relief of the *Holy Land*. [3] John then upon *Groffia Fitz Peter*, then Chief Justice of *England*, wrote to all the Sheriffs of *England*, to admonish and induce the Earls, Barons and others, in every of their Sherifwicks, to give a Fortieth part as aforesaid, and to collect it from the Earls, Barons, Knights, and Freeholders; and cause their Names, with those of the Cities and Towns, together with the Sums that each of them were to Pay, to be set down, and return'd by every Sheriff to the Temple at *London* in such after the same manner as our Briefs for Fire or other Charities are at this Day. Therefore you must observe that This was no Tax, but only a Voluntary Contribution.

[4] Also the same Year *Essey*, Abbot of *Flaye* in *Normandy*, came over into *England*, and here finding a great Prophanation of the Lords Day in keeping of Markets, and doing other servile Works, He went from City to City, and from Town to Town, Preaching against it, pretending no less than an Epistle from *Jesus Christ* himself, which was said to be found upon the Altar of *St. Simeon* at *Jerusalem*, sharply reprovings the Christians of those Countries, for working on the Lords Day, and that all the Judgments that had fallen upon them, had been for the breach of this Commandment; which though it was but a pious Fraud, yet had then so good an effect, that by the Preaching of this Abbot, scarce any Man durst for the future go to Markets, or do any servile Work on the Lord's Day, which was to begin on *Saturday* at 3 a Clock in the afternoon, and to continue till Sun rising on *Monday* morning; being much after the same manner as the Jews observe their Sabbath at this Day: *R. Hoviden* has not only given us a Copy of this pretended Epistle, but also divers stories of terrible Judgments which happened to those who presumed to Work at their Trades after the Hour above mentioned, the Truth of which Relations, tho' they happened in this Author's own time, I shall leave to the Reader's discretion to believe as he thinks good.

Ann. Dom.

MOON

[2]

[3]

R. Hoviden 469.

The Holy Land

being like to

be lost, the

Pope writes to

the Bishops of

England to

cause the

Clergy to

contribute a

Fortieth part of

their Revenues

for the Relief

of the Holy

Land. The

Great Master

of the Knights

Hospitallers

now called a

Knight of

the Temple

wrote to all

the Sheriffs

of England

to induce the

B. Knights, and

Freeholders to

contribute a

Fortieth Part

of their Rents

for the same

purpose.

[4]

Id. ib.

The Abbot of

Flaye comes o-

ver into Eng-

land to preach

against the

Prophanation

of the Lord's

Day.

King

King

King

King

King

King

King

King

King

King

King

King

King

King

Anno Dom.
MCCIII.

[5]

M. P.

An Interview
between the
Kings of
France and
England, at
Paris, where the
former made
pick a Quarrel
with the
latter.
The King of
France makes
unreasonable
demands from
King John.

A more par-
ticular ac-
count of this
Alteration in
K. Philip's be-
haviour, in A.
Bib. Cantab.
as also in the
Herald's Of-
fice, 10. 11. p.
which the true
Reasons of
this breach
of the Peace.

Two and 10

10. 11. p.

10. 11. p.

10. 11. p.

10. 11. p.

10. 11. p.

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10. 11. p.

[5] King John remaining still in Normandy, kept his Christmas at Argentan, and in Lent following near the Castle of Guleton, there was also not long after an Interview between him and the King of France. But Nicholas Trivet places it between Vernon and the Isle of Andeli, where the French King seeking fresh occasions of Quarrel, to break the Peace, which he had so lately solemnly Ratified and Sworn to, is said to have summoned the King of England to appear at Paris 15 Days after Easter, there to answer concerning the Dukedom of Aquitaine and Earldom of Poitou: But Matt. Paris is more particular in this Affair, and relates, that the King of France retaining a mortal hatred against King John, did then Demand no less than a Restitution of all the Territories, which he at that time held on that side the Sea, to Arthur Duke of Brittain; in which relation I doubt the Author is mistaken as to Normandy, since he never had intended that Duchy in any of the former Treaties, and besides the French King then held a great part of it by King John's late concession. But I do not find any English Author to give so particular an account of the Reason of this sudden Alteration of the King of France, as * Ralph, Abbot of Coggeshal in his Manuscript Chronicle, where under this Year, he Relates, that the Peace having been for some time well observed between the Kings of France and England, the former took occasion to break it on this pretence; King John had lately made War upon Hugh le Brun Earl of March, and his Brother the Earl of Engleferme, because they had begun with him, and defied him; but these Lords, being too weak to resist the King, thereupon complained to King Philip, as their Sovereign, or Chief Lord; wherefore King Philip admonished King John to forbear, and to make Peace with them, to which he not thinking fit to yield, King Philip summoned the Nobility of France, and among them King John himself, as Duke of Aquitaine, and Earl of Anjou, to appear at Paris within 14 Days after Easter, and there undergo the Judgment of his Court, as that of his Supreme Lord, for the Injuries done to the Two Noblemen above mentioned; upon this the King of England answered, that he was also Duke of Normandy, and as such, was not at all obliged to appear at Paris, but only on the Borders of his Duchy, as had been anciently agreed upon between the Dukes of Normandy and Kings of France; to which King Philip replied, that it was not Just, that he should loose his Right, as Supreme Lord of Aquitaine, because the same Man was also Duke of Normandy; wherefore the Quarrel between these Two Princes daily increasing, upon this as well as other occasions, the King of France's Court being again assembled, adjudged the King of England to have forfeited all his Right to his Territories in France, because he had for a long time refused to perform the Services due for them. But whether this Judgment of the Estates of France preceeded this Treatie, or followed it, I shall not Determine; but it seems most probable, (as Mezary in his Abridgment of the French History relates) that after the breaking up of the late Treaty at Guleton, (as you have heard) King Philip having his Design already formed, Summoned King John to appear at his Court, there to Answer not only to the Complaints of

of Earl *Hugh le Brun*, but also of his Nephew *Arthur*, for the *Anno Dom.* Countries above-mentioned. [1] But when ever this Arrest or Sen- *MCCII.* tence of the Peers of *France* was given against King *John*, it is certain, that upon his refusal to grant these Demands, the Treaty *M.P. p. 107.* broke off, and they parted highly incens'd against each other, which the King of *France* sufficiently expressed by Invading the King of *England's* Territories the next Day, and razing to the Ground the strong Castle of *Butavent*, and then marching further, took the Town of *Ouzi* with the Castle of *Lynn*, and many other Places: He also besieged the Castle of *Radford*, or *Ratpore*, (as *Matt. Paris* calls it) 8 Days, but hearing of King *John's* approach, He marched off; and a few Days after turned all his Forces against *Gorney*, and breaking down the head of a large Pool which lay above the Town, a great part of the Walls were overthrown by the violence of the Water, so that the Garrison retiring, the King took the Town without opposition. Then re- turning to *Paris*, he appointed certain Tutors or Governors for Duke *Arthur*, and assigned him 200 Knights or Horsemen, for his Guard, who were also to go with him into *Poitou*, and help him to subdue those Territories; but as he was marching thither in a Grand Military Pomp, it was told them that Queen *Eleanor* was in *Mirabel*, which was but a weak Garrison; therefore turning all their Forces thither, they besieged the Castle, and it not being able to hold out, they soon compelled the outward Castle to surrender: But the Queen and some few of the principal Soldiers retiring into a strong inward Tower, they could not so soon take that; but therefore laying close Siege to it, almost all the Noblemen and Knights of *Poitou*, and principally *Hugh le Brun* Earl of *March*, (whose Spouse King *John* had lately married,) and was therefore his declared Enemy came to Duke *Arthur's* assistance, and all together made so great an Army, that they were very like to take the Place; but before they did take it, the Queen being put to a great freight sent Messengers to the King her Son, earnestly desiring him to come speedily to her Relief; he thereupon marching Night and Day, arrived sooner than could be expected, and the issue of the matter was, that the *French* and *Poitouins* left the Siege to give him Battle. But the King put them to flight, and pressed so close upon them, that he entered the outward Castle with them, where there was a sharp conflict; but it was soon ended by the Courage of the *English*. In this Fight 200 *French* Knights were taken Prisoners, with Duke *Arthur* himself, and most of the Nobles of *Poitou* and *Anjou*, who being put into Fetters, were sent away in Carts, some of them into *Normandy*, and others into *England*, there to be kept close Prisoners; but as for Duke *Arthur*, he was sent to *Falaise*, and there kept under a strict Guard. In the mean time the King of *France* had besieged the Castle of *Arches*, and battered it Fifteen Days with his Engines; but hearing of Duke *Arthur's* misfortune, he raised the Siege, and returning to *Paris*, did nothing more that Year.

Anno Dom.
MCCII.

[2]
M. P. 16.
The K. goes
to Falaise, and
tries by fair
Words and
Promises to
bring over his
Nephew

to his In-
terest, but be-
ing repulsed,
is so incens'd,
that he sent
him Prisoner
to Rouen.

Where he sud-
denly vanish-
es, being sup-
posed to be
made away by
the K's Orders

A farther Re-
lation of King
John's cruel
Intentions a-
gainst this
young Prince,
before he was
made away.

[2] Sometime after, King *John* going to *Falaise*, caused his Ne-
phew *Arthur* to be brought before him, and gave him many good
words, promising him great Honours, if he would quit the King
of *France*, and adhere to him, as his Lord and Uncle; but he an-
swered him disdainfully, and with Threats demanded the Kingdom
of *England*, and all the Dominions King *Richard* died possessed of,
as his Right by Inheritance, and swore he should never enjoy Peace
unless he restored them; King *John* very much incensed at his high
Demands, sent him to *Rouen* to be kept close Prisoner in the New
Tower, under the Custody of *Robert de Vipont*, where he suddenly
vanished, tho' by what means is unknown; *Matt. Paris* adds, That
it were well, that it had not been as envious Fame reports; That
is, That he were not made away by his Uncle's Orders, which tho'
he will not speak out, he plainly insinuates.

But I cannot here omit, what *Radulph de Coggeshal* further relates
concerning this Unfortunate young Prince; who whilst he remain'd
Prisoner at *Falaise*, the Nobles of *Bretaigne* and *Anjou* made great
offers for his Liberty, but being refused, combin'd afresh against
King *John*; wherefore his Counsellors seeing the great Constancy
of the *British* Nobility, who would never be at rest so long as he
was alive, or in a Capacity to Govern, they upon this advised the
King to deprive him of his Eyes and Testicles, thereby to render
him incapable of Government, or Procreation; wherefore being
provoked as well by the Stubborness of his Nephew, as the Obstina-
cy of his Adherents, he yielded at last, that this cruel Advice should
be put in Execution, which being committed to Three of the King's
Trusty Servants to see it perform'd, Two of them abhorring such
Cruelty, slipt aside out of the way; but the Third going to *Falaise*,
and delivering his Message to *Hubert de Burgh* the King's Chamberlain,
and then Constable of that Castle, he was highly concerned, as was
also the whole Garrison, at this barbarous Sentence, whilst the Poor
Prince could only with Tears bewail his Misfortune; yet at last be-
ing transported with Rage, he with his own hands fell upon him who
had brought this Cruel Message, and as they were grappling together,
Hugh de Burgh and the Guards ran in and parted them; and so put-
ting the Man out of the Room, they not only absolutely refused to
execute his Orders, but Comforted, and appeased the young Prince,
as well as they could.

[3]
M. 16.
Hugh de Burgh
gives out that
D. Arthur is
Dead, and the
Reason of ma-
king that Re-
port.

[3] Yet *Hugh* the Constable, to mitigate the King's Displeasure,
as also to take away the Hopes of the Noblemen his Adherents,
caused it to be dispersed throughout the Province, that Duke
Arthur was dead, by the severe Execution of the King's Sentence;
so that the Bells rung out for him in all Places; but this sad
News was so far from appeasing the *Bretaigns*, that they were ra-
ther the more provoked, Swearing, That for the future, they would
never desist from making War upon the King of *England*, who had
commanded so horrid a piece of Cruelty to be Executed upon his own
Nephew; so that to appease them, those that kept Duke *Arthur*, were
forced to tell them truly, that he was still alive; but at last the
King thinking he should have no quiet so long as he lived, (for King
Philip and the *Bretaigns*, still press'd for his Delivery) resolved to
dispatch him privately, so soon as he was removed to *Rouen*; so
that

that no Man can certainly tell to this Day how he came by his Death.

But since some of the *French*, as well as of our own Writers, have taken upon them to give a more particular Account of the Death of this Unfortunate young Prince, I shall give you their Relation of it; without passing my word for its Certainty, since by the very Circumstances of the Story, it appears, that very few were trusted with the Secret: But they say, that [4] King John solicited some of his Confidants, and in particular *William de Bray*, to Murder his Nephew; but none would undertake it, and this very Person plainly told the King, He was a Gentleman, and not an Hangman; wherefore the King considering the Importance of the Affair, and the great Mischief and Reproach, that the Discovery of it might bring upon him, resolved to trust as few with the Knowledge of it as he could; wherefore coming one Night in a Boat to the Foot of the Tower of the Castle at *Rouen*, where Duke *Arthur* was kept Prisoner, he presently ordered him to be brought down and put into the Boat; whereupon the Prince apprehending his approaching Fate by his Uncle's Silence, presently abating his former Fierceness, flung himself at his Feet, in hopes to obtain Mercy; but the Cruel King without saying any thing farther to him, presently drew his Sword and run him several times through the Body, till he had dispatch'd him: Then carrying the Corps some Leagues down the Stream, they flung it into the River *Seine*; to give some colour to the Report, they had caused to be spread abroad, that this Prince thinking to escape out of a Window of a Tower, (which stood over the River) had fallen into it, and so was drown'd.

But [5] the *Annals of Margan*, printed at *Oxford*, give us somewhat a different Account of the manner of King John's making away with his Nephew, to this Effect; That some time after his Imprisonment, the King being much in Drink, came to the Castle of *Rouen*, and there murder'd him with his own hands, and then causing a great Stone to be tied about his Dead Corps, had it cast into the River, out of which not long after it being drag'd by a Fisherman's Net, it was known by some, and privately buried in the Abbey-Church of *St. Mary des Prez*.

All which not only differs from the *French* Relation, but seems also very improbable; for *Rouen* being within a few Years after in the hands of the *French*, they would certainly have very well rewarded that Man, who had found, and so charitably Buried that Prince's Body, whereas it was never known to this Day what became of it: But to return to our History.

[1] King John not long after this horrid Action, went over into *England*, where, as soon as he arrived, he would needs be again solemnly Crown'd at *Canterbury*, on the 14th of *April*, by the hands of *Hubert*, Archbishop of that City, which I suppose was done to confirm his Title to the Crown, his Competitor being now taken out of the way; but it was to little purpose, for the King returning soon after into *Normandy*, it was quickly divulg'd throughout all *France*, that he had murder'd his Nephew; wherefore the Esteem not only of Foreigners, but the Affections of many of his own People, on this Account, ever after turn'd against him, and that deservedly,

Ann. Dom.
MCCII.

[4]

Wil. Briss, de
Geoff. R. Philipe
P. 166, 167.

The *French*
Writers Relat-
tion of the
Murder of D.

[5]

Ann. Margan
Vol. 1.
Another ac-
count of it,
from the *An-*
nals of Margan.

[1]

M. P. p. 208.
K. John passes
over into Eng-
land, and is a-
gain Crown'd.

He returns in-
to *Normandy*,
and the News
of his Ne-
phew's mur-
der is divul-
ged through
France, and
that highly
to the King's
Prejudice.

for

Anna Dom.
MCCII.

(1) *Philippus in vita Philippi Augusti.*
The Duke of Normandy, who calls his great Council, and summons King John to appear and answer the Murther.

(2) *P. 283.*
Matt. Paris's Account of the Proceedings of the French King against King John, and what he said to his Ambassadors.

(3) *Philippus in vita Philippi Augusti.*
The Duke of Normandy, who calls his great Council, and summons King John to appear and answer the Murther.

(4) *Rigord, de Gestis Philippi.*
The Sentence of the Court of the Peers of France.

(5) *Philippus in vita Philippi Augusti.*
The Sentence of the Court of the Peers of France.

for tho' it was uncertain, how that Prince came by his Death, yet it is plain, it could never have been acted without his Order and Contrivance; and indeed, whoever considers this King's Actions after this, will find them so byass'd by Luxtry, Falshood, and Cruelty, as if God had wholly given him up to a Reprobate Mind. But it is high time to see what was the Consequence of this Cruel Murder, in which the King was very much disappointed of the Advantages he proposed to reap by it. For as soon as the Report of Duke Arthur's Death came to the Ears of the Dutcheis of Constance his Mother, [2] she immediately went to the King of France, and there made loud Complaints of the unheard of Violence and Cruelty committed by King John upon his Nephew, and her Son; whereupon King Philip assembling his Parliament, or Great Council, then consisting of all the Peers and Chief Noblemen of France, they summoned King John, as Duke of Normandy, to appear before them, and answer this Accusation, at a Day appointed; Upon which, as [3] *Matt. Paris* relates, (For the French Historians omit this Circumstance) the King sent Bishop of Ely, and Hubert de Burgh, as his Ambassadors, to let that King know, That he would willingly appear at his Court, provided he might have safe Conduct for his Going and Coming; To which King Philip answered with a severe Look, He may come in Peace; But the Bishop replied, And may he return so too? But all the King of France would say to this, was, Yes, if the Sentence of his Peers permit him; But the Ambassadors still insisting to have a safe Conduct for their Master; it so incensed King Philip, that he swore, By all the Saints of France, not otherwise then according to the Judgment of my Court: Then when the Bishop laid open the great Dangers that might happen to King John by his coming; saying, That the Duke of Normandy could not attend his Court, but that the King of England must be there also, for one and the same Person was both King and Duke; and that the Baronage of England would not permit it, tho' the King himself should be willing to come, since there appeared so imminent a Danger either of his Death or Imprisonment at least; to which the King presently reply'd, And pray, my Lord Bishop, what is that to me? It is very well known, that the Duke of NORMANDY is my Vassal, and if he would conquer ENGLAND, and thereby acquire a Higher Title, ought his Capital Lord to lose any thing by that? To which I find the Ambassadors did not make any Reply; whether because they could not, or else would not urge the Matter any further, I will not determine: But to come to the Process and Sentence of this Council, in this great Case.

[4] All our [4] own, as also the French Historians agree, That upon King John's Failure of appearing before the Great Court of Peers of France, above-mentioned, he was for his Contempt condemn'd of Treason and Murther; and [5] *Pandus Aemilius* has Recorded the Sentence it self to this Effect, That John Duke of Normandy, being Unmindful of his Oath to King Phillip his Lord, had Murthered his Elder Brother's Son, being an Homager to that Crown, and that within the Seignior of France; whereupon he is judged a Traytor, and, as an Enemy to the Crown of France, to forfeit all his Seignories which he held by Homage, and that Re-entry be made by Force of Arms. Thus by a Par-

tial

rial and Undue Sentence, the King and Peers of *France*, being at that very time in open Hostility with King *John*, condemned him, tho' Absent, Unheard, and neither Confessing, nor Convicted of the Crime, nor had they indeed any Lawful Cognizance of it: But the *French* having then power sufficient to put this Sentence in Execution, and *England* labouring many Years under the Government of this violent Prince, and his weaker Son *Henry III.* that was always Unsettled, it was no wonder that the Kings of *France* still kept by Force, what they had by Force acquired: But it is time to pursue our History, and to see how King *John* carried himself, after his return into *Normandy*, and that King *Philip* had declared open War against him.

[1] The King kept his *Christmas* at *Caen* in *Normandy*, where laying aside all thoughts of Warlike Enterprizes, he Feasted magnificently with his Queen, and lay in Bed with her every day till Noon: After *Easter* the King of *France* raised an Army, wherewith he took many of his Castles; the Places of greatest Strength he kept up; all the others he levell'd with the Ground. And when King *John* was told, what King *Philip* had done, he only reply'd, *Let him alone, whatever he now takes, I will quickly have again from him*; But when the *English* Earls, Barons, and Noblemen, heard this, and observed his Insuperable Sloath, they degred leave to go home; and so left but very few Knights or Military Men to tarry with him in *Normandy*: As for his part, *Hugh de Gournay* surrender'd to the King of *France* the strong Castle of *Montfort*, with the entire Honour belonging to it, whilst King *John* continued all this time, as he thought, secure at *Rouen*; insomuch that People said, *sure he was Bewitch'd*; for he was as Brisk and Merry, as if he had lost nothing, nor any ill had happened to him.

Then the King of *France* proceeded farther, and sat down before the Town and Castle of *Rail*, within the Territory of *Rouen* with a mighty Force; But *Robert Fitz-Walter*, and *Saber de Quincy*, in whose Custody it was, basely delivered up that strong Fortrels, as soon as ever he appeared before it; but King *Philip* abhorring their Cowardize, commanded them to be kept close Prisoners at *Compeigne*, where they remain'd in Fetters till they could pay their Ransoms: So true is that Maxim, *That Princes, though they love the Treason, yet hate the Traytors*.

[2] *Normandy*, and the King's other Transmarine Dominions, being thus left Naked and without Defence, the King of *France* passed thro' divers Provinces without any Opposition; and reduced several Castles to his Obedience; He also about that time besieged that strong Castle on the Rock of *Andeli* on *Seine*, which King *Richard* had built from the Ground, and call'd it *Castle Galliard*; but that being defended by the admirable Valour and Fidelity of *Roger de Lacy* (to whom the Custody thereof was committed) King *Philip* prevail'd little against it, so that all he could do, was, to block up the Place, and hinder any Provisions from being brought to it; in this juncture some *Normans* revolted from the King of *England*, whilst others, tho' feignedly, adher'd to him.

Anno Dom.
MCCIII.

The King returned
into England,
and picks
Quarrels with
his Nobility
for Deserting
him, and ex-
acts a great
Tax from the
Clergy and
Laity.

[3] The King at last seeing his own weakness, and that he was left without any Forces took Shipping and landed at *Portsmouth* on the 6th of *December*: where he was no sooner arrived, but he fell to picking of Quarrels with his Earls and Barons, pretending, that they had Deserted, and left him amongst his Enemies, beyond Sea; and that through their Neglect he had lost his Castles and Territories there; wherefore he took from them the Seventh part of their Moveables, without their Consents; neither did he in this Tax spare even the Conventual or Parochial Churches, for he had (says *Matt. Par.*) those who severely executed his Rapines, viz. *Hubert*, Archbishop of *Canterbury*, upon the Clergy; and upon the Laicks, *Geoffrey Fitz-Peter*, Justiciary of *England*, who spared no body in this Imposition.

[4]

The King of France
during his absence
invades his Dominions,
and sums up several
Cities and Towns;
and because that
they were de-
serted by their
Prince,
they obtain
one Year's
Truce to gain
Relief, yet
surrender be-
fore that time
is expired.

[4] Then the King of *France* taking advantage of King *John's* absence, came with a strong Force before several other Cities and Castles of his Dominions, declared to the Citizens and Castellans, that King *John* had Cowardly deserted them; and that he being chief Lord over those Countries, he was obliged in that Case to preserve the Fee from Injury and Damage; and therefore friendly required them to receive him for their Lord, seeing they had no Other: But in case they would not submit to his fair Proposal, he swore, if they fought against him, and were subdued, he would either hang or Flea them all alive. At length, after many Disputes, they unanimously consented to give Hostages for one Year's Truce; and if the King of *England* relieved them not within that time, they would recognize him for their Lord, and render their Cities and Castles to him. Yet as *Nicholas Trivet* better informs us, many of the chief Cities in *Normandy*, as *Falaise*, *Constance*, *Bayeux*, and others, being by Force or Treachery, quickly reduced under the King of *France's* Power, King *John* had nothing left there, except the City of *Rouen*. Thus we may observe the Policy of the King of *France*, who urged King *John's* Desertion of that Province, (tho' forced to it by himself) as a sufficient Reason for their quitting their Prince, and transferring their Allegiance to himself, as their Sovereign.

Anno Dom.
MCCIV.

[5] M.P.
The K. calls
a Council at
Oxford, where
was granted
an Aid of two
Marks and 1
on each
Knight's Fee.

Colloquium

[5] The King continuing still in *England*, kept his *Christmas* at *Canterbury*, where *Hubert* the Archbishop entertain'd him all the time of that Solemnity: But when it was over, he removed to *Oxford*, and on the Second of *January*, He and all the Great Men of *England* met in a *Common Council, or Parliament; where was granted to the King a Military Aid of Two Marks and an Half of every Knight's Fee; nor did the Bishops, Abbots, or Ecclesiasticks depart without promising the same. From whence we may observe, that the King was now in somewhat a better temper, then when he first came over, and would not again venture to Tax the Nation without its Consent: But notwithstanding this great Aid now given him, I cannot find, that he did any thing worth speaking of with it, either for the Regaining of what he had lost beyond the Seas, or so much as keeping what was left, but spent his time Idly and Luxuriously at Home.

[1] Then

[1] Then after *Midlent*, he sent the Archbishop of *Canterbury*, and Bishop of *Normich* and *Ely*, as also *William* Earl *Mareschal*, and the Earl of *Liccester*, as Ambassadors to the King of *France*, to sound his Inclinations to a Peace, and to propose some new Terms of Agreement, if he would receive them; but King *Philip* being puffed up, (because all things had succeeded according to his desires) would agree to nothing; for being then assured that Duke *Arthur* was Dead, he demanded *Eleanor* his Sister to be given in Marriage to his younger Son, with all the Territories in *France*: [2] But this being thought unreasonable, was denied; at which King *Philip* was so incensed that again entering *Normandy*, he took the City of *Rouen*, after a long Siege, by the Surrender of the Citizens, and that merely for want of sending them timely assistance; for the Military Men and Burghers had been ever since the beginning of *June* under a Truce with the *French* King, and had entered into divers Articles with him, and given Forty Hostages for the Performance of the same; to this Effect, That if the King of *England* did not make Peace with the King of *France*, according to his liking, or could not remove him from the Place where he was, (lying then before *Rouen*) within Thirty days, they would deliver the City. These Articles are long, and contain divers things to be performed on King *Philip's* Part, the Chief of which were, That the City should enjoy all its ancient Franchises and Privileges; but as *Mezeray* very well observes in his *French* History, This Precaution proved as feeble against absolute Power, as Paper is against Iron; for so soon as ever he had taken it, he demolished its Walls, and would not permit them to be built again; as for the rest, I refer the Curious Reader to the Articles at large: But how this City came to hold out till after *Christmas*, when it was obliged by the Agreement above-mentioned, to surrender (if not relieved) within 30 Days, I cannot tell, unless our Historians mistake, and make it to have been surrender'd after the time it really was.

[3] Then the Castle, on the Rock of *Andeli*, was, after almost a Year's Siege, taken, a great Part of the Walls falling down by the Foundations having been undermin'd; besides which, the Besieged wanted Victuals to the last Extremity; but before the Enemy could Enter, *Roger de Lacy*, Constable of *Chester*, then Governor, scorned to make Conditions for himself, and resolving either to break thro' the Enemy's Guards, or die, he bravely, with Sword in hand, together with divers of his stout Companions, (when they had scarce Meat left for one Meal) mounting their Horses, sallied out, and killing many of the *French*, maintained an obstinate Fight, before they were taken: After the Surrender of the Castle, *Roger* was carried into *France*; yet for the great Courage and Bravery he shewed in the Defence of it, the King commanded he should be a Prisoner at large; this Prince having so much Generosity as to make a Distinction between a Gallant Man, and such Cowards as *Robert Fitz-Walter*, and *Saber de Quincy*, who surrendering the Castle of *Ruil* without striking a Stroke, were clapt in Irons for their Pains; and indeed this Unfortunate Gentleman was worthy to have served a better Master. Some time after this, the Castle of *Arches* and *Vernueil* being also render'd, all *Normandy* was reduced under the Power

Anno Dom.
MCCIV.

[1] R.C.
The A.Bp. of
Canterbury and
others sent
Ambassadors
into France;
who will hear
of no reason-
able Terms of
Agreement.

[2]
Chron. Nor-
mania.
Being now
assured of the
Death of D.
Arthur, he is
highly Incen-
sed, and the
City of Rouen
is surrender'd
to him upon
Condition.
Vid. These
Articles at
length in Sen-
tior. Norman.
Vol. 1. P. 1057

[3]
M. P. p. 111.
The Castle on
the Rock of
Andeli taken,
and Roger de
Lacy the Go-
vernor, fall-
ing out, was
made Prison-
er at large.
With whom
the King was
duly gene-
rally in re-
gard to his
Valour.

Anno Dom. MCCIV. of the French King, after it had been Governed by Twelve Dukes of the Norman Race, (of which King John was the last) for the space of Three hundred and twenty Years.

[4] R. G. But as for the War in Poitou and Aquitaine, Ralph de Coggeshal tells us, that it was carried on with various successes, since a part of those Countries being under the Command of Robert de Turnham (who had the better of his Enemies in most Conflicts) still obeyed the King of England, assisted by Savary de Malleon, who being lately released out of the King of France's Custody, faithfully served King John against his Enemies; whilst another greater and stronger party under Hugh le Brun Earl of March, and William de Roches, who (as the French Historians relate) having quitted King John, and taken King Philip's Side, put him not long after in Possession of the whole Countries of Anjou, Main, and Tourain, (except some few strong Places) also Henry Clement Marechal of France Conquered all Poitou with the Cities of Nior, Tenars, and Rochel.

[5] Matt. Paris is very short in this Relation, and only says, that the Castellans and Citizens who were Subjects to the King of England beyond the Seas, being now reduced to great straits, sent over to let him know their Condition, that the time of the Truce was almost expired, and that they must either deliver up the Cities and Castles, or permit their Hostages to be destroyed; whereupon the King told their Messengers, that they must expect no Help from him, and therefore left it to them to do what they thought fit; thus for want of Relief all Normandy, Tourain, Anjou, and Poitou, came under the Dominion of the King of France, except the Places abovementioned.

The King knew all this, yet spent his time with his Queen wholly in Pleasures, as if in her he had enjoyed all the World; only Nicholas Trivet does in some part excuse him, saying, that King John discouraged by so many disasters, could not raise an Army sufficient either to defend those Countries, or to recover what he had lost; for his own Subjects being now generally discontented, refused to fight for him, and so he learnt by certain (tho' dear bought) Experience, that the true Power and Authority of Princes consists in the Love and Obedience of their Subjects, and when that is gone, a King that does not wholly depend upon an Army of Mercenaries, may bid farewell to any good Success.

Nor can I omit what Rad. de Coggeshal further relates, that the Duke of Louvain and Earl of Boloign, having agreed all their old Quarrells, now joined in Confederacy with the French King to invade England, and that King Philip also Swore to follow them with his Army, within a Month after their arrival there; by which Reports the whole Kingdom was very much disturbed, fearing, lest that King through the Assistance of so many Potent Princes should Conquer it; yet for all those Threats, this intended Invasion was never put in Execution.

[1] M. W. Nothing more remarkable happened this Year, except [1] the death of the Queen Mother Eleanor, a stirring Princess, and of a high and intriguing Spirit, who had met with various Vicissitudes of Fortune, for having been repudiated by Lewis King of France, she then married the young Duke of Anjou, who by the Accession of

The War is carried on in Poitou and Aquitaine with variable success, under the Command of R. de Turnham and Savary de Malleon.

[5] Matt. Paris more concise in his Relation of the War in France.

The K. for all this bad Success spends his time voluptuously; yet N. Trivet excuses him.

The D. of Louvain and E. of Boloign join in Confederacy to invade England.

[1] M. W. The death of Eleanor the Q. Mother, and her Character.

of the Crown of *England* and Dutchy of *Normandy*, was the greater Prince; but she falling afterwards to ill Terms with him, was kept a Prisoner till his death; yet her Two Sons, King *Richard* and *John* succeeding, she had for Fifteen Years lived in great Honour and Respect, being a most indulgent Mother, but a partial Grandmother to Duke *Arthur*, out of Hatred and Emulation to his Mother, the Dutches of *Bretagne*, as hath been already observed.

[2] And now, since neither *England* nor *France* affords us any thing else this Year worth noting, we will look as far as the utmost Parts of *Europe*, where the People of *Constantinople* having lately deposed their Emperour *Isaac*, and put him in Prison, the *French* and *Venetians* Sailed towards *Constantinople*, with no less than 28000 Men, and made themselves Masters first of the Haven, and then of the City, altho' there were more than 80000 Soldiers within it; then they delivered *Isaac* the late Emperour out of Prison, who being too old to Govern, they at his Request made his Son *Alexis* Emperour, the late Tyrant *Alexis* (of the same Name) with his Brother *Theodorus* Lastaris escaping over the Walls, retired to *Adrianople*; but whilst the *French* Army Wintered about *Constantinople*, and that the new Emperour endeavoured to satisfy them with the Pay he had promised them, the People upon whom he had imposed great Taxes for that end, first mutinied, and then Rebelled, being headed by one *Alexis* *Ducas*, Great Master of the Wardrobe, who seizing upon the new Emperour, strangled him with his own Hands, and then having caused himself to be proclaimed Emperour, he mustered up what Forces he could, and marched with them out of the City against the *Franks*, who not only beat them back into the Town, but also besieged the City of *Constantinople*, which after Sixty Days was taken by storm; great part of it being also set on Fire, was burnt to the Ground, and the Slaughter was so great that the Streets ran down with Blood.

Then the conquering Army chose Twelve of their principal Commanders, to whom they committed the Power of Electing an Emperour, on this Condition, that if he were a *Frank*, the Patriarch should be a *Venetian*, and so vice versa; upon which, tho' *Basilace* of *Monterrat* seemed most worthy of that Dignity, yet because he was not grateful to the *Venetians*, they rejected him, and chose *Baldwin* Earl of *Flanders* Emperour, and *Thomas* *Morosini*, a Noble *Venetian*, Patriarch. This Empire was of small Extent, by reason that the Marquess of *Monterrat* had all *Thessaly* bestowed upon him, with the Title of King, and the *Venetians* made themselves Masters of *Candae*, as also divers Greek Princes possessed themselves of several Cities and Provinces in *Asia-minor*, under the Title of Emperours; as were that of *Trebisond*, upon the *Euxine* Sea, and that of *Nice* in *Bithynia*, besides some other Principalities of less Extent.

This Empire of the *Franks* at *Constantinople* continued for near Fifty Years, and then the Greek Emperour of *Trebisond* recovered it, together with all the Adjacent Countries; and thus it continued the Capital City of the Greek Empire, till it was taken by the *Turks*. I have been the more particular in this Relation, because it gives us an account of some of the greatest and most remarkable

Ann. Dom.
MCCII[2] Mid. Murray's
French History
under this and
the former 10
Years.The Em. Isaac
being depos'd
by the People
of Constantinople,
the French and
Venetians
invade the
City and take
it, and make
his Son Alexis
Emperour.Against
whom the
People Re-
belling, he is
strangled.
The Franks
thereupon a-
gain besiege
the City and
take it.The Franks
Commanders
chose Baldwin
E. of Flanders
Emperour.The short
continuance
of this Em-
pire of the
Franks at
Constantinople.

Anno Dom. MCCV. able Revolutions that ever happened in so short a time, and shews us how much the *Greeks* were then degenerated from the Valour and Simplicity of their fore-fathers; but to return again to our History.

[3]

M. P.

King John keeps a short Christmas at Winchester, and the occasion of it is this.

The King being provoked at the French King's success in raising another Army in order to go in to France, but is dissuaded by Archbishop Hubert, and for what Reasons.

The Archbishop advises the K. to send over his Brother the E. of Salisbury into France with an Army.

The K. seems at first well satisfied with the Advice, but soon after repents, and goes for France himself, but presently returning back, extorts a vast Sum from his Subjects.

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[3] This Year, King John kept his *Christmas* at *Templebury*, but the Festival was very short, lasting but one Day; I suppose, because few, if any of his Noblemen (being then highly discontented with his Arbitrary Government), would attend him: But as *Ralph de Coggeshal* relates, it was upon the News of *Robert de Tiersham* (who had hitherto defended great part of *Pointon*) being taken Prisoner by the King of France's Forces, as also of *Bernard d'Ac* being taken in the Castle of *Loches*, which he had hitherto valiantly defended: But at this King John was so provoked, that about *Whitsuntide* following, he raised a great Army in order to pass the Seas; tho' he was hindered from it by the Archbishop of *Canterbury*, and *William* the Earl *Mareschal*, with divers others of the Nobility, who (as the last mentioned Author tells us), dissuaded the King from this Expedition, setting forth the great Dangers and Inconveniencies that might happen from thence to himself and his Kingdom, being now to trust himself in the midst of his Enemies, without any Place of strength to repair to; and that besides all this, the King of France had a far greater Armie, as being now Master of the whole Country, and therefore it was by no means safe to trust the fickle *Pointovins* who were upon every turn wont to conspire against their own Princes; and it was yet more hazardous, in respect that the Earl of *Beloigne* and his Adherents might in the mean time invade *England*. But the King was not at all moved with their Remonstrances, and seemed resolved upon this expedition, tho' they fell upon their knees before him, beseeching him not to go, adding further, that if he would not consent to their Request, they would detain him by force. At this the King being put into a great confusion, adjured the Archbishop to give him the best Advice he could, who told him, that the likeliest means he could think on to secure his own Safety as well as Reputation, was to send his Brother the Earl of *Salisbury* over together with some others of the Prime Nobility with a powerful Army to join with those *Pointovins*, who it seems then expected his coming over; whereupon the King making as tho' he hearkned to it, dismiss the greatest part of his Noblemen and Knights; many of whom having been put to vast Charges for this Expedition, in Expectance of their going over, cursed the Authors of this Advice, and more especially the Mariners, who brought their Ships from the utmost Parts of the Kingdom to carry them over.

[4]

Id. ib.

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[4] Then on a sudden the King seeming to have changed his Resolution, went back to *Winchester*; but at length repenting of what he had done, he returned again to *Portsmouth*, and having there hired a good many Ships, about the middle of *July* he went on Board, and with a small Retinue put out to Sea; but again changing his Mind (or perhaps never intending otherwise from the beginning) he came back, and landing at *Warham* in *Dorsetshire*, he immedi-

immediately after his Return extorted a vast Sum of Money from all his Subjects as well Ecclesiastics as Laics, upon pretence they had refused to follow him beyond Sea, that he might recover his lost Dominions.

This was the Second time he had thus squeezed Money from the Nation by his absolute Power, without their Consents; and was one of those Grievances which afterwards caus'd the Barons to take up Arms against him; and was also one of those particular Heads that are provided against by his great Charter, which he was afterwards forced to grant them: Nor does this Year afford any thing considerable in Foreign Parts, only as [5] our Author relates, the Earl of *Salisbury* pass'd this Summer over into *France* with a strong Body of Men, and tho' there was a great deal of Money bestowed in this Expedition, yet little or nothing was done with it; for the strong and almost impregnable Castle of *Chinon* was taken about *Midsummer*, and in it *Hugh de Buregh* the King's Chamberlain, the valiant Governor was taken Prisoner, who had defended it for near a Year together, against the King of *France* his Forces, and was now dangerously wounded.

[1] But tho' this Year proves barren as to Civil Affairs, yet it affords us enough of Ecclesiastical; for now *Hubert* Archbishop of *Canterbury* deceased a few Days before the King's going last to Sea, he was a Prelate of a large and magnificent Spirit, tho' of no great learning, being more addicted to Civil and Military employment, than to the business of his Function; having been chief Justiciary and Chancellor, as also the Pope's Legate, during great part of the late King *Richard's* Reign, and was continued Chancellor under King *John*, until the time of his death; At which the King was not a little glad, having ever since his opposing his late intended Expedition, suspected his holding private Intelligence with the King of *France*; but I rather believe, that it was without any just cause, and that this Archbishop as well as others of the Nobility opposed that Design, not out of any good will to the *French*, but either for the Reasons they then gave him, or else because they were satisfied, that the recovery of the King's Dominions beyond Sea, would be a matter of greater Charge and Trouble than any real Advantage to *England*.

But the sudden Decease of this Archbishop mightily altered the State of Civil as well as Ecclesiastical Affairs; for tho' the News of his death was at first (as I said) very grateful to the King, who had of late lookt upon him as his Enemy, yet had he very little reason to rejoyce, since the double Election of a new Archbishop by some of the Monks * which not long after followed, produced great Disturbances to him and the Kingdom, concerning which the same Author gives us this account; that before this Archbishop was buried, some of the *Junior* Monks of *Canterbury* privately chose one *Reginald*, then their Sub-Prior, Archbishop, without the King's Knowledge, and presently sent him away to *Rome*, to procure his Confirmation: But when he came there, and had shewed the Pope and Cardinals the Instruments of his Election, and Petitioned him to Confirm it; he told the Sub-prior, he would consider of that, till he had more certainty of the manner

Anno. Dom. MCCV.

M. B. p. 312.
Hubert Archbishop of Canterbury died. of an Ulcer in his Side, at Eborac, in the 14th year of King John's reign, with a feverish illness.

[1]

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Monks of Christ's Church at Canterbury. The Junior Monks of Canterbury privately chose Reginald their Sub-prior, Abp. whom they sent to Rome, to obtain the Pope's Confirmation.

Anno Dom.
MCCV.

The Monks
being incens'd
at the Impru-
dence of their
Sub Prior,
crave leave of
the K. to
choole ano-
ther Archbi-
shop, which is
granted on
condition
they would
choole the B.
of Norwich.

Anno Dom.
MCCVI.

The K. sends
some of the
Monks to
Rome to ob-
tain the Con-
firmation of
the last Elec-
tion of an A.
Bp. whither
the Bishops
also send
complaining
against both
Elections as
Illegal.
Divers Alle-
gations and
Precedents
produced in
their behalf.

of his Election; but that which quite imbroiled this Affair, was, that tho' the Monks had obliged their Sub-prior to Secrecy, yet so soon as this vain glorious Monk had got into *Flanders*, he divulged the Errand he went about, telling every body that he was going to *Rome* to get the Election Confirmed, shewing the Instrument of the Convent, under their Seal; of which they having notice, and that he had broke his Oath of Secrecy, were so mightily incensed against him; that they sent to the King, desiring his Licence to choole a new Archbishop; whereupon he gave them free leave, without any Condition, but intimated to them, that if they would choole *John Bishop of Norwich*, they would do him an acceptable piece of Service, so the Monks having unanimously chosen him in due Form, the King and he went with all speed to *Canterbury*, where the next Day the Prior in their presence, as also in that of the Convent, declared *John de Gray Bishop of Norwich*, duly Elected Archbishop; then the Monks placed him in the Archbishop's Throne, and the King presently put him in Possession of the Temporalities that belonged to the Archbishoprick; and thus all things rested till the end of this Year, without the Pope's interposing either one way or other.

And now, [2] to avoid making any Breach in this Relation, I shall, tho' contrary to my usual method, begin this Year with Ecclesiastical Affairs. At this time fell out that which gave the Pope a fair Pretence to make both these Elections void: for [2] the King having kept his Christmas at Oxford, not long after sent some of the Monks of the Church of *Canterbury* to *Rome*, to obtain the Pope's Confirmation of the last Election of the new Archbishop he had recommended; when at the same time the *Suffragan* Bishops of that Province, sent also their Proctors to *Rome*, who made a grievous complaint to the Pope, that the Monks had presumed to choole an Archbishop without them; when they of common Right and antient Custom ought to have been present, and to have agreed with the Monks in their Election; for which they Alledged divers Decrees and Precedents, produced witnesses, and exhibited Testimonials, that the *Suffragans* together with the Monks had chosen three Archbishops; the Monks on the other Hand affirm'd, that by antient and allowed Custom, and by special Privilege of divers Popes, they used to make Elections without them, which they offered to prove by sufficient Witnesses; thus this Process continued till the Year following, in the mean time the Allegations on both sides having been heard, and the Witnesses examined, the Pope appointed the 21st of *December* for pronouncing Sentence, which proved at last in favour of the Monks, as you will find hereafter. But now to return to Civil Affairs.

[3]

[3] On the 25th of *June*, King *John* with a great Army took Shipping at *Portsmouth*, and on the 9th of *July* landed at *Rochel*; the *Poitevins* were glad of his Arrival, and coming in cheerfully to him, promised their Assistance; then after he had subdued a considerable part of *Poitou*, he marched against the strong Castle of *Mont-Amban*, which he laid Siege to, and after he had battered it 15 Days with his Engines, took it on the first of *August*, and then wrote to his Justices, Bishops, and Nobility of *England*, how ma-

ny

ny Great and Illustrious Prisoners, and what Horse and Arms, and what innumerable Spoils he had taken; after this the Religious Persons of those parts mediating between the Two Kings, on the Feast of *All-Saints*, they procured a Two Years Truce; and then King *John* returned into *England*, and landed at *Portsmouth* on the 12th of *December*, and thereby lost all the Advantages he had so lately gained.

**Rigord*, (an antient *French Historian*) says, that King *Philip* hearing King *John* was landed at *Roche*, rais'd a great Army, and marched into *Poitou*, and Fortified and Garrisoned *Mirabel*, *London*, and other Castles, which he held in those Parts, and so returned to *Paris*; and that the Viscount of *Touars* being then entered to a Confederacy with King *John*, it caused King *Philip* to return again into *Poitou*, and destroy the Lands of that Viscount; and then both Armies being ready to Engage, a Truce was made from the Feast of *All Saints* for Two Years; and after this the King return'd into *England*, and landed at *Portsmouth* a little before *Christmas*.

[4] This Festival Solemnity he held at *Westminster*, where most of the Great Men of the Kingdom were present; then about *Christmas* following, he took a 13th Part of all Men's Moveables, and other Goods, as well of the Prelates, as other Ecclesiastics; which made them all to murmur, but none durst at that time contradict it; only *Geoffry*, Archbishop of *Tork*, who would not give his consent to, but openly opposed it, and so went away privately out of *England*, but at his departure he Excommunicated all Invaders of the Goods of the Church, and especially those who should presume to do it in the Province of *Tork*; yet the * Record in the *Tower* (which you will find in Dr. B's Appendix) says expressly, That this Tax was granted by the Common Advice and Assent of the King's Great Council held at *Oxford*, being given for the Defence of his Kingdom, and the Recovery of his Right beyond the Seas; where you may also see the manner of Assessing, Collecting, and Paying to the Exchequer.

But the Annals of the Abby of *Waverly* will, under the Year, serve very well to Explain this Record; and plainly shews, That this Tax, said to have been Taken, or Extorted by King *John*, and which Doctor *Brady* supposes to have been only granted by the King's Privy Council, was really given by the general Consent of the Kingdom, tho' they were not able to help it; I shall therefore give you the Relation of this Transaction word for word, as it is to be found in those Annals, (*viz.*) That King *John* after his Return from beyond Sea, having * Summoned the Bishops, Abbots, Priors, Earls, Barons, and Great Men of the Kingdom, Eight Days after New-years-tide to a Council at *London*. He there moved the Bishops, and Abbots, that they would permit the Parsons and Beneficed Clerics of Churches to give him a certain Sum out of their Yearly Revenues; which when the Prelates would by no means agree to; it was further deferr'd to the next Common Council, which was to be held at *Oxford*, on the Octaves of the Purification of our Lady; where a great Multitude of the Prelates and Great Men of the Kingdom being assembled, the King again required of the Bishops,

Anno Dom.
MCCVI.

Hist. Franc.
Vol. 3. p. 106.
The French
Historian's
Account of
this Year's
War:

Anno Dom.
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[41]
M. P. W. C.
The K. has
another great
Tax from
both Clergy
and Laity.
Par. 8. 9.
Johan. M. 3.
Dorf. N. 83.

Which yet
appears to
have been
granted by
the Advice
and Consent
of the Com-
mon Council
of the King-
dom.

This farther
made out from
the Annals of
Waverly.
This is also
confirm'd by
the Clause Roll
of this Year,
M. 6. Or.
wherein is
mentioned a
Summons to
the Mag-
nates or great
Men of the
Kingdom, to
give their Ad-
vice concern-
ing those
things pro-
pos'd fr. in the
K. of France.

and

Anno Dom. and Abbots, what he had demanded of them before: But they all both of
 MCCVII. Canterbury and York, taking Council together, Unanimously answered,
 That the Church of England could no ways bear that Burthen, which had
 never been heard of in all former Ages; Then the King taking better Ad-
 vice, wholly released that Demand to them; Yet afterwards it was or-
 dained by the Whole Kingdom, that generally all Men by whatsoever Tenure
 they held, should swear to the Value both of their Real and Personal Estates,
 and should pay a Thirteenth Part thereof to the King for the Recovery of
 his Inheritance in Normandy, and his other Dominions.

From whence, (comparing this Historian with the Record before
 cited by Dr. B.) it plainly appears, That there was a Great Council
 held this Year at Oxford, which gave the King a Thirteenth Part of
 their moveable Goods and Revenues; so that what was levied upon
 the Laity, being according to Law, all the Violence that was done,
 was not to them, but to the Bishops, Abbots, and inferior Clergy,
 who never consented to it; and how far such a Violence upon the
 Church could create a Prerogative in the King so to do, I leave to
 the Doctor to determine. I have been the more Particular in this
 Relation, to remove the Prejudices and Mistakes of those Modern
 Writers, who would make us believe that the Kings of England, in
 those times, could legally by the bare Advice of their Privy-Council,
 raise what Taxes they pleased upon their Subjects: whereas, if they
 had seriously considered the words *Commune Concilium* made use of
 in this Record, as cited by the Doctor, they would find, that it
 must relate to the Common Council of the Kingdom held at Oxford,
 (as it is here related by these Annals) and not to the Privy Coun-
 cil; And tho' it is true, that the King exacted this Tax also of the
 Clergy, yet all Authors agree, That this was an Abuse of his Pre-
 rogative, and therefore there can be no Precedent drawn from it.

[1] R.C. I have no more to note concerning this Taxation; [1] but that
 the Cistercian Monks were the only Order in England, that were ex-
 empted from the Payment of it, (which I suppose was in considera-
 tion of the Wrong he had done them two years ago,) and that
 the King upon the Departure of the Archbishop of York beyond
 the Sea without License, seized upon all his Estate:

As for other Ecclesiastical Affairs done in Foreign Parts,
 which yet had their Effect and Influence here, the only thing
 considerable that fell out this Year, was, that [2] at Rome the Pope
 took upon him to Nominate a New Archbishop of Canterbury, by
 his own Authority, which was never done by any of his Predeces-
 sors; the Occasion and Manner of which being very remarkable,
 I will here set down. The Monks of that Church, who had been
 some time before sent to Rome, at last came to a solemn Hearing
 before the Pope, concerning the late double Election at Canterbury;
 after which those that stood for Reginald, the Sub-Prior, presented
 him to the Pope, as being first and duly Elected, whilst the other
 Party who were for the Bishop of Norwich, would have proved the
 former Election of the Sub-Prior to be void, as being made by
 Night without the King's Consent, or that of the Greater or more
 Discreet Part of the Convent; so that after long Disputes between
 them, the Pope finding they could not agree, judged both of these
 Elections to be Uncanonical; wherefore by the Advice of his Car-
 dinals

The Error of
 those Writers
 who suppose
 that the King
 might in those
 Times, by the
 Advice of his
 Privy Council
 raise what
 Taxes he
 pleased.

[2] Id. p. 222.

The Pope
 takes upon
 him to Nomi-
 nate a New
 Archbishop,
 and on what
 Pretence.

dinals he nulled them both; forbidding, by a definitive Sentence, both the late Elects any more to pretend to the Archiepiscopal Dignity: This being done, he then persuaded the Monks to chuse *Stephen Langton*, an *Englishman*, and Cardinal, for their Archbishop; to this at first they answered, That they could not make a Canonical Election without the Consent both of the King and their Convent; But the Pope told them, they had in themselves the full Power of the Church of *Canterbury*; and that in Elections made at the Apostolic See, the Consent of Princes was not expected; and then commanded all those present, being (as he said) a sufficient Number, in virtue of their Obedience, and under pain of a Curse, to chuse him Archbishop whom he had appointed for their Father and Pastor. Upon this, the Monks being afraid of the Sentence of Excommunication, tho' very Unwillingly, and with much Reluctance, gave their Assent; only one Monk, *Elias de Branteseild*, amongst them all would not consent to this Election; However, the Pope consecrated Cardinal *Langton*, Archbishop, at *Viterbo*, on the 17th of *June*. [3] But *Roger of Wendover*, (from whom *Matt. Paris* transcribed the greatest Part of his History) according to the Sentiments of the Monks of that Age, endeavours to Justifie this Election made at *Rome* as valid; because (as he relates) King *John* had bound himself by a solemn Promise to own him for Archbishop, whom the Prior, and the Twelve Monks that went with him thither, should agree upon; and that they having now chosen Cardinal *Langton*, by a general Consent, only one of them refusing, therefore the King was obliged to accept of him.

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The Pope after long Disputes between the Monks, declares both their Elections void, and then commands them to chuse Card. Langton Archbishop.

The Monks at last obey the Pope's command, tho' unwillingly, whereupon the Cardinal is consecrated A.Bp. by the Pope himself.

[3]
Id. p. 221.

Roger of Wendover justifies this Election, & upon what Grounds.

But I do very much doubt the Truth of this Relation; for in the first place it plainly appears, by what the Monks then alledged to the Pope, that they had no Power from their Convent to make a New Election; but only to procure the Pope's Confirmation of one of those who had been already chosen: Nor is it at all likely, (nor indeed by any other Author mentioned) that the King should have thus tied up himself to accept him for Archbishop whom those Twelve Monks should chuse, since he never dreamt of any New Election at *Rome*, but only of the Pope's Vacating one of the former Elections, and Confirming the other; and therefore this New Election of Cardinal *Langton* was certainly more Uncanonical than any of the former; only it had the Pope's pretended Authority to back it, which was now arrived to that height, that it might do whatever it pleased, especially in *England*, where the Bishops and Clergy were wholly at his Devotion.

His Relation of this Affair is not very probable.

[4] The Pope being sensible that King *John* would deeply resent this his Arbitrary Proceeding, sent over his Nuntio with a Present of four Rings, set with precious Stones of four different Colours; and also a notable Insinuating Letter, wherein he sets forth the great wonderful Mysteries contain'd in the Roundness of the Rings, and their various Colours, which must needs (forsooth) signify the Four Cardinal Virtues; and might, if his Holiness had pleased, have represented any other four things whatever he was pleased to conclude, with an Exhortation to follow each of those Virtues thus signified; yet would not the Pope only rely upon the King's good Pleasure, whether his new Archbishop should be received or not,

[4]
Id. p. 223.

The P. being sensible that K. John would resent it, writes him an insinuating Epistle, and sends him four Rings to pacify him.

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MCCVII.

but (to make sure work of it) he also wrote other Letters, wherein he exhorts him to receive *Stephen Langton*, a Native of his own Kingdom, and Cardinal of *St. Chrysogonus*, and who was very well skill'd both in Secular and Spiritual Learning, to be Archbishop of *Canterbury*, since his Exemplary Life and Conversation would be a high Advantage both to his Body and Soul: But to make the surer work still, he also sent his Command to the Prior and Monks, to receive and obey him as their Archbishop, as well in Spirituals as Temporals.

[5]
Id. lb.
The K. is
highly incens'd at the
News, and
Charges the
Monks of *Canterbury* with
Treason.

[5] When the King had received the Pope's Letters concerning the Vacating the Election of the Bishop of *Norwich*, and the unexpected Advancement of Cardinal *Langton*, he charged the Monks of *Canterbury* with Treason; alledging, That in prejudice of his Prerogative, they had first chosen their Sub-Prior without License, and then to make him some feigned amends had Elected the Bishop of *Norwich*; and that tho' they had received Money out of his *Exchequer* for the Expences of their Journey, to obtain the Pope's Confirmation of the last Election, yet they had, as an Aggravation of their first Offence, presumed to chuse *Stephen de Langton* his declared Enemy, and had caused him to be Consecrated Archbishop; for which cause, the King being in great Fury and Indignation, sent *Fulk de Cantelupe*, and *Henry de Cornebulle*, two Cruel and Ill-natur'd Knights, with armed Officers, to drive the Monks of *Canterbury* out of *England*, as being Guilty of Treason: These Ruffians in pursuance of the King's Commands, went to *Canterbury*, and there entering the Monastery with drawn Swords, they commanded the Prior and his Monks in the King's Name, presently to depart out of *England*; and if they refused to obey, they swore, That they would burn them and their Monastery together. The Monks being at this greatly terrified, and acting without good advice, all departed without any Opposition, much less Violence; and so passing into *Flanders* were kindly received in the Abby of *St. Bertin*, and in other Monasteries adjoining thereunto; then by the King's Command, some of the Monks of *St. Augustin's* Abby, were put in their Places to perform Divine Service, yet under the Oversight of *Fulk de Cantelupe* above-mentioned, who Seized and Confiscated all the Goods of the Monks.

And sends
armed Men
to drive them
out of their
Convent.

And not only
that, but Banishes them
out of *England*,
and puts some
Monks of the
adjoining Monastery in
their Places.

[1]
Id. p. 224.
The K. thereupon writes to
the Pope, setting forth the
Injury he had
lately received
at his hands.

[1] When they were thus Expell'd their Monastery, the King sent Messengers to the Pope, with Expostulatory Letters, in which he sets forth the Injury had been done him in Vacating the Election of the Bishop of *Norwich*, and Consecrating *Stephen Langton* Archbishop; a Person altogether unknown to him, and one Educated in *France*, and who had conversed with his open Enemies, and all this without his Consent; to the Prejudice and Subversion of the Rights and Prerogatives of his Crown; affirming, That he would no way recede from the Election and Promotion of the Bishop of *Norwich*; and also threatening, That if he might not receive a favourable Hearing at *Rome* in this Matter, he would hinder all Persons from going thither, by shutting up his Ports; lest his Country being thereby impoverish'd, he should not be able to defend it from their Enemies: For since he had Archbishops, Bishops, and other Prelates within his own Territories, abounding in all kind of Learning, he would

(if

(if he were forced to it) neither seek for Justice, or Judgment, from Strangers out of his own Dominions.

[2] Some time after that the Pope had received these Letters, he returned him a very Politick Answer, to this Effect: First he blames the King forgiving so rough an Answer to his humble and kind Letters; He then proceeds to Justifie the Election of Cardinal Stephen, as one who had studied long in the University of Paris, and who merited to be made a Doctor not only in the Liberal Arts, but also in Theology; farther telling him, That tho' at Elections made at the Apostolic See, the consent of Princes was not requisite, yet nevertheless Two Monks had been specially deputed to gain his Assent; but they being detain'd at Dover, were not able to perform what was enjoined them; then Justifying the last Election, as agreeable to the Canons of the ancient Fathers, he concludes, with advising him to submit to his good Pleasure, which would be much for his Honour, and not resist God and the Church in this Cause, for which that blessed Martyr and Glorious Archbishop Thomas (they are the Historian's words) had shed his Blood, especially since his Father and Brother had abjured that evil Custom: by which I suppose he means, that of our King's Nominating Bishops and Abbots: so this Affair rested for a time.

[3] This Year the King kept his Christmas at Windsor, where he bestowed many Festival Liveries upon his Knights, who attended him at that Solemnity; but immediately after, the Pope finding the King was not to be prevail'd upon neither by Persuasions or Threatnings, to receive Stephen Langton for Archbishop, he therefore expressing great Grief for his Contumacy, commanded William Bishop of London, Eusebius Bishop of Ely, and Manger Bishop of Worcester, to go to the King, and discourse him concerning this great Affair of the Church of Canterbury; and if they found him Contumacious, (as hitherto he had been) they were then to declare to him, that his Kingdom should be Interdicted; and if that would not do, but he still persisted in his Obstinacy, the Pope would lay a heavier Hand upon him; he also wrote to the Suffragans of the See of Canterbury, and to the Other Prelates of that Province, to receive and obey Cardinal Stephen as their Archbishop; whereupon the Bishops above mentioned, in performance of the Trust committed to them by the Pope, immediately repairing to the King, entreated him with Tears, That as he had God before his Eyes, he would recall the Archbishop and Monks to their Church, and Honour and Love them with perfect Charity, that so he might avoid the Scandal of the Interdict; but when the Bishops would have proceeded in their Speech, he fell into a great Passion, and spoke many hard words against the Pope and his Cardinals, Swearing by God's Teeth (his usual Oath) that whoever should presume to Interdict his Territories, he would forthwith send all the Prelates and Clergy of England to the Pope, and also Confiscate their Goods; further adding, That if he found any Romans within his Dominions, he would first put out their Eyes and cut off their Noses, and then send them to Rome, that so they might be distinguished from those of other Nations; he also commanded the Bishops forthwith to depart his Presence, as they valued

Anno Dom.
MCCVII.

[2]

Id. 16.

The Pope returns the K. a very Politick Answer, wherein he justifies the late Election, and highly commends Cardinal Langton.

Anno Dom.
MCCVIII.

[3] Id.

The Pope finding the K. not to be prevail'd upon, commands some of the Bishops to admonish him to be obedient, under pain of an Interdict.

Anno Dom.
MCCVIII.

[4]
Com. Hist.
p. 477. & Ap-
pend. n. 85.

^a Vid. Hist. Ap-
pend. n. 85.
Dr. Brady's
mistake of the
Privy-Coun-
cil, for the
Common
Council of the
Kingdom.

their Lives : This is *Matt. Paris's* Account of the Success of the Bishop's Negotiation with the King ; in which setting aside his Passionate Words and Threatnings, I do not see any thing wherein he might not very well be justified in thus Disobeying the Pope's Command. But [4] *Dr. Brady*, (who does what he can to Justify this King's Actions, whether right or wrong), * gives us his Letters Patents, attested by seven Earls, and three Barons, (dated above two Months before the *Interdict*) wherein he condescended so far as he could to Obey the Pope in the great Affair concerning the Church of *Canterbury*, upon such Terms, as he himself, with the Advice of his Council should think reasonable ; saving always to Himself and his Heirs, the Rights and Dignity of his Crown ; and then the Dr. casts all the Fault upon the Bishops, for not being satisfied with the King's reasonable Proposals ; and that upon their pressing him further, it put him into such a Transport, as caused him to speak those hard and passionate Words against the Pope, already mentioned.

Tho' I cannot deny the Authority of the Record which the * Dr. cites, because it is among the Patent Rolls in the *Tower* ; yet this does not prove what he endeavours to make out : for it is evident by the Record it self, directed to the Bishops of *London*, *Ely*, and *Worcester*, (the very same Bishops who had been with him before about this Matter) that it was not at the time of their last Meeting, but some days after, when (upon cooler Thoughts, and by the Advice of those Earls and Barons who were Witnesses to it,) he promised that he would obey the Pope's Command in the Business of the Church of *Canterbury* ; and that by the Advice of his Council, not his Privy Council, (as the Doctor here insinuates) but that of the Estates of the Kingdom when they should meet, as appears by the Words of the Record it self, that is to say, *Cum Concilio Fidelium Nostrorum* ; i.e. By the Advice of our Faithful Subjects ; by which Expression, the Great Council of the Kingdom is often understood.

But let this Promise of the King above-mentioned, be made when it would, it is certain, he was then upon such ill Terms with his People, that he durst never after call a Great Council but when he was forced to it ; and therefore it is no wonder if he found no better Success in it, for not taking the Advice and Consents of his Clergy, Nobility, and People, that they would stand by him in this Quarrel with the Pope, it put him upon those severe and desperate Courses which lost him the Love and Confidence of his Subjects, and which ended at last in a shameful Submission to the Pope's Will and Pleasure, as you will find hereafter. I hope the Reader will pardon this Digression, it being so necessary for the Illustration of the History of these Times. But to return to where I left off.

[5] M.P.
P. 116.
The Bps. for-
sake the King and
pronounce
the Sentence
of the *Interdict*.
^a *Sacramenta*.

[5] After these threats, the Bishops above-mentioned, finding no further hopes of Repentance from the King, they forsook him, and in Lent following, on the Two and Twentieth of *March*, they *Interdicted* the whole Kingdom of *England* and Dominion of *Wales* in Obedience to the Pope's Commands ; Whereupon there was immediately a Cessation of all Ecclesiastical * Rites, except *Confession*, *Baptism*, of *Infants* and Administration of the *Eucharist* to Dying

Dying Persons; so that the Bodies of the dead were carried out of the Cities and Towns, and buried in the High-ways and Ditches, without any Service, or the Ministry of Priests. Whereupon the Day following, the King sent to those Bishops who had pronounced the *Interdict* his Letter or Writ (which Dr. Brady has also given us at large,) wherein he Commanded them to deliver to his Justiciary *Geoffrey Fitz-Peter* the Letters Patents he had lately given them, concerning what he had promised in the business of the Church of *Canterbury*, still saving his Right and Dignity: What was his Intention by this, I am not able to Determine; but it is certain it came too late, for (as I have already said) he never called any Great Council for that purpose, as he ought to have done, if he designed to have this Affair concluded to the general Satisfaction of the Kingdom; but the Three Bishops above-mentioned, who had published the *Interdict*, as also *Joscelin* Bishop of *Bath*, and *Giles* Bishop of *Hereford*, fearing some Violence from the King's Displeasure, privately stole away, beyond Sea.

I cannot omit one other passage, that [1] Dr. Brady has given us from a Writ or Letter, directed to the *Kentish* Men, wherein he lets them know, that *Simon de Langton* had lately come to him at *Winchester* about *Mid-Lent* last past, and had there before divers Bishops desired him to receive *Stephen* his Brother as Archbishop of *Canterbury*; but that when the King spoke to him of preserving the Royal Dignity in this Affair, he replied, that he could do nothing on his Majesty's behalf, unless he would wholly put himself upon his Brother's mercy, with which sawcy answer, the King acquainted them, that so they might know the prejudice he had done him; Commanding them also, to believe those things which *Reginald de Cornhill* should further tell them on his behalf. From which we may observe the intolerable Pride and Insolence of the Archbishop's Relations, which so exasperated the King, that it was no wonder it rendered him more harsh and obstinate than otherwise he would have been.

[2] The King much afraid of this Sentence of *Interdict*, sent his Sheriffs and other Ministers into all parts of *England*, Commanding with terrible threats, all Prelates and their inferior Clergy, that they should forthwith depart the Kingdom, and repair to the Pope, requiring him to do the King Justice for this Injury. Then he also put all Bishopricks, Abbies and Priors under the Custody of Laymen, Commanding all the Church's Rents to be Confiscated. But in this Affair the Prelates (that is) the Abbots as well as Bishops were so cautious, that they would not leave their Houses and Monasteries, unless they were expelled by Force; which the King's Officers perceiving, durst not offer them any violence, having had no Command from the King so to do: However they converted their Goods to the King's use, providing for them Food and Raiment, tho' very sparingly out of their own Estates; the Barns of Clergymen were every where locked up by the King's Command, and the Corn seized for his Service.

[3] But that which Plagued them most, was, that the * Concupines of the Priests and Clerks throughout *England* were imprisoned by the King's Officers, and they forced to pay great Compositions

Anno. Dom. MCCVIII.

vid. his Appendix. n. 86.

The Three Bishops, who had published the *Interdict* leave the Kingdom.

[1] p. 471. vid. Appendix. n. 88.

An account of the King's Letter to the *Kentishmen*, setting forth the saucy behaviour of *Simon Langton*, Brother to the new Archbishop.

[2] p. 471. vid. Appendix. n. 88.

[3] p. 471. vid. Appendix. n. 88.

[4] p. 471. vid. Appendix. n. 88.

[5] p. 471. vid. Appendix. n. 88.

[6] p. 471. vid. Appendix. n. 88.

[7] p. 471. vid. Appendix. n. 88.

[8] p. 471. vid. Appendix. n. 88.

[9] p. 471. vid. Appendix. n. 88.

[10] p. 471. vid. Appendix. n. 88.

[11] p. 471. vid. Appendix. n. 88.

[12] p. 471. vid. Appendix. n. 88.

[13] p. 471. vid. Appendix. n. 88.

Ann. Dom.
MCCVIII

tions for their Liberty: The Monks and all Men in Orders, who were found Travelling upon the Road, were thrown off their Horses and robbed and abused by the King's Souldiers, nor was there any one durst Right them: Also the Kindred and Relations of the Archbishop and those Bishops who pronounced the Sentence of *Interdict*, were by the King's Command despoiled of their Goods, and cast into Prison; yet notwithstanding all these Evils (saith *Matt. Paris*) the aforesaid Bishops remained beyond Sea, living in all manner of Delights, *not opposing themselves as a Wall of defence for the House of the Lord; but when they saw the Wolf coming, they left their Sheep and fled.*

[4] However, for all this Seizure of the Goods and Temporalities of the Bishops and Clergy, the King sometime after restored them to such as submitted to him, and to those that Celebrated Divine Service, Administered the Sacraments, and refused to Obey the *Interdict*; he restored their Lands and Goods, and only kept those which belonged to such Abbots, Priors, Clerks and other Religious Persons as had submitted to the *Interdict*; nor indeed did he retain the Estates of any Religious or Clergymen, but such as had refused to Celebrate Divine Service after this Publication, as appears by divers Writs [5] Dr. Brady has given us in the Appendix to his History; some of which were Issued out on the behalf of the Bishops of *Winchester* and *Norwich*, directed to the Sheriffs and other Officers of those Counties where their Lands lay, and who had then the Custody of them from the King.

And for the further security of all Religious Men, i. e. Monks and Clerks, he Issued out his Precept, that no Man against his Peace should abuse either Clerks or Religious Persons in Word or Deed, and if they did, and could be taken, they should be hanged upon the next Tree; likewise as by [2] another Writ for their Grain he permitted all Bishops Priors, Religious Persons and Clerks (tho' their Barns had been before shut up) to sell it until the Feast of St. Catherine, that is, the 25th of November; from which Records we may observe the Partiality of the Monkish writers of those times, who often represent this King more rigorous to the Clergy than indeed he was.

[3] Yet for all this King John now finding himself not only disregarded, but hated by his Subjects for his Exorbitant and Tyrannical proceedings, and fearing lest as a further addition to these Evils, the Pope might also absolve them from their Allegiance to him, required all the great Men or Nobility of his Kingdom whom he suspected, to deliver him Pledges or Hostages for their future Fidelity; hereupon several complied with his Injunctions; Some delivered their Sons, others their Nephews, or nearest Relations to the Messengers sent for that purpose, some of whom coming to *William de Brause* a Baron of Note, his Wife, a Lady of more Wit than Discretion, taking the words out of her Husband's mouth, thus rashly answered them; *I shall never deliver my Sons to the King to be kept, who killed his own Nephew Arthur whilst he was in his Custody*; which when her Husband heard, he reproved her for so rude a Reflection, and modestly replied, that if he had offended the King in any thing, he was ready without any

[4]
Id. ib.

The Goods of
such of the
Clergy, who
would not
buy the *Interdict*
are re-
stored by the
King's Writ.

Id. ib.

Id. ib.

Id. ib.

Id. ib.

Id. ib.

Id. ib.

Id. ib.

Id. ib.

Id. ib.

Id. ib.

Id. ib.

Id. ib.

Id. ib.

Id. ib.

Id. ib.

Id. ib.

Id. ib.

Id. ib.

Id. ib.

Id. ib.

Id. ib.

Id. ib.

Id. ib.

any Pledges to make him Satisfaction according to the Judgment of his Court, and of the Barons his Peers, at any time and Place assigned him; but when the Messengers returned to the King, and they had told him what they had heard, he was in so great a transport of Passion, that he sent some of his Officers and Soldiers privately to seize upon this *William* and all his Family, and bring them before him, but this Baron being forewarned by his Friends, immediately fled with his Wife, Children and Relations into *Ireland*, where you will find this bold Truth cost this poor Lady and her Children their Lives.

Anno Dom.
MCCVIII.

The K. being incensed at this Reply, sends to seize the said *William* and his Wife, but they escape into *Ireland*.

About this Time, the King grew so Jealous of the Queen, that (if *Matt. Westminster* may be credited) he accused her of Adultery, and commanded her to be kept a close Prisoner; and caused several whom he suspected to have had to do with her, to be Executed; tho' our Author does not give us their Names, nor can I find this Passage mentioned in any other Writer of that Time; but it seems the Queen did not remain very long under this Disgrace, for the Year following she was brought to Bed of another Son, as you will find anon.

The K. grows jealous of his Wife, and puts several Persons to death whom he suspected to have had to do with her.

Also the same Author takes notice of a great Eclipse of the Sun, that happened this Year in the Beginning of *March*, but does not name the Day.

As for what happened this Year in Foreign parts, I find no more than that *Philip* Duke of *Svevia* and Emperor of *Germany*, who had been for several Years Competitor with *Otto* Duke of *Saxony*, for that Imperial Throne, was murdered in his Bed-chamber by *Otto*, Count Palatine of *Wittolsbach*, whereupon the said Duke was Elected Emperor in his stead, tho' he did not long enjoy it.

[4]
Vid. H. Muirj
Chron. sub hoc
anno.

King *John* this Year kept his *Christmas* at *Bristol*, where he issued out a Precept or Proclamation, forbidding the taking of all sorts of feathered Game, throughout *England*, which being the first Edict of this kind Issued by any King before, I thought fit to take notice of it, as an Act of this King's Arbitrary Power.

Anno Dom.
MCCIX.

[5]
Id. P. 228.
The K. issues out a Proclamation forbidding the taking of all sorts of Game

Not long after there arose so great Difference between King *John* and the King of *Scots*, about his receiving some Out-laws who had fled out of *England*, and also for marrying his Daughter to the Earl of *Boloigne* without his Consent, that King *John* raised a great Army, and marched toward *Scotland*; but when he came to *Northam* Castle in *Northumberland*, the King of *Scots* being afraid of the Consequence, met him, and desired Peace. Upon this King *John* reproved him for receiving and favouring his Fugitives and Enemies; but by the mediation of Friends to both Nations, they made up this Breach upon these Terms, that the King of *Scots* should pay unto King *John* Eleven thousand Marks of Silver, and that his two Daughters should be delivered as Pledges for the better securing of the Peace between them.

ib.
King *John* marches against the K. of *Scots*, who being afraid, makes Peace with the K. upon his own Terms.

The King in his return from this Expedition did another Act which savoured too much of arbitrary Power; for he Ordained, that the Hedges should be Burnt, and the Ditches filled up throughout all the Forests of *England*, and the Corn and Grass to be every where left to the Deer; upon his coming home, he received

Another Act of arbitrary Power committed by the King.

Homage

Anno Dom. MCCIX. Homage of all his *Free-Tenants* (even Boys of Twelve Years of Age) through the whole Kingdom, whom, after they had done their Fealty, he received kindly, and dismissed them with the usual Ceremony when Homage is paid, the kiss of Peace; tho' this was very burdensome as well to the Rich as Poor; also the *Welshmen* then came to the King at *Woodstock*, and performed their Homage to him, and so were sent home with good Words.

He makes all his Tenants to renew their Homage and Fealty to him.

[1] *M. 228.*
A great disturbance in the University of Oxford.

[1] This Year happened an unlucky Accident, which for some time was a great prejudice to the University of *Oxford*. A certain Clerk, who there followed his Studies, having by chance killed a Woman, made his escape, whereupon the Mayor of the City and several others attending him to the Place, found the Woman slain; but not the Murtherer; in whose Lodgings they seized Three other Clerks that lived in the same House, which they had hired together; These being taken and put into Prison, were a few days after by the King's Order carried out of Town, and hanged, in contempt of Ecclesiastical Liberty; upon which near 3000 Scholars, as well Masters as Pupils, left that University, some going to *Cambridge*, and others to *Reading*, so that there was scarce a Scholar remained in the Town: I mention this to let you see, how much *Oxford* flourished in those times.

[2] *Id. ib.*

The Pope commands certain Bp's. to declare the K. Excommunicated, but they neglect to do it.

[2] The *Interdict* had now continued Two Years, when Pope *Innocent* finding no hopes of King *John's* amendment, and making satisfaction for the violence he had done to all sorts of Persons, as well Laicks as Ecclesiastics, and resolving not to suffer his Obstinacy (which our Author calls Rebellion) to go any longer unpunished; wherefore by the Advice of his Cardinals he Commanded the Bishops of *London*, *Ely*, and *Worcester*, to pronounce him *Excommunicate*; that so by publishing the Sentence every *Sunday*, and *Holiday*, in all Conventual Churches throughout *England*, they might cause him to be strictly avoided by all Men; but when those Bishops would have committed the Publication of the Sentence to their Brother Bishops and other Prelates that remained in *England*, they all became like dumb Dogs, either through favour, or fear of the King, and durst not Bark; but tho' they made a shew as if they would Execute what was enjoined them, yet they did not proceed in performing the Pope's Command according to the due Form: However the Sentence was so well known every where, that it became the Subject of all Men's Discourse; amongst the rest *Geoffrie* Archdeacon of *Norwich*, as he sat in the Exchequer upon the King's business, conferred with his Associates about the late Sentence pronounced against the King, saying, it was not safe for Beneficed Men to remain any longer in the Service of an Excommunicated King, and so he went away without leave; the King having notice of it, sent *William Talbot* a Knight after him with a Band of Soldiers, who being taken, and put in Irons into a close Prison, after a few Days he had by the King's Command a Leaden Cope put upon him, with the pressure, of which, and for want of Victuals, he died.

Geoffrey Archdeacon of *Norwich* upon the hearing of this Sentence, speaks certain words against the K. which he hearing of, orders him to be tormented and starved to death.

[3] *Id. ib. p. 229.*

[3] Nor must I here omit a Matter, tho' in it self of no great moment, yet, is not amiss to be inserted, to shew us the Temper of some Ecclesiastic's of those times, who taking the contrary Extreme,

treine flattered the King as much as the others disobeyed him ; amongst whom was one Monsr. *Alexander*, Sirnamed the *Mason*, who had been a famous Reader of Divinity in *Paris* ; yet our Author calls him a false or counterfeit Theologue, because by his flattering Sermons the King was not a little moved to Cruelty ; for he Preached that this general Plague upon *England*, did not proceed from any fault of the King's, but from the Sins of the People, affirming, *that the King was only the Scourge of God's Anger, and Ordained to Rule his People with a Rod of Iron, and to break them in pieces like a Potter's Vessel ; to bind their Princes in Chains, and their Nobles with links of Iron* : And he also proved by divers probable Arguments, that it did not belong to the Pope to concern himself with the Secular Power of Princes, or the Government of their Subjects, since there was no such Power conferred by *Jesus Christ* on *St. Peter*, but that which was meerly Spiritual, over the Church and Ecclesiastical matters : By which fulsome Sermons, he so insinuated himself into the King's favour, that he thereby obtained the Benefices of which others were deprived ; but when the Pope heard of it, he after his Reconciliation with the King, turned this Man out of all his Livings, and he was at last reduced to such necessity, as that in a wretched Habit he begged his Bread from Door to Door.

This shews us how Princes commonly leave such Flatterers to shift for themselves, when once they have served a present Turn.

[4] About this time *William* Bishop of *Lincoln* being dead, some Years before, *Hugh de Wells* the King's Chancellor was chosen Bishop, who thereupon obtained leave of the King to go into *France*, under a pretence that he might receive his Consecration from the Archbishop of *Rouen*, and presently return home : But he served the King a slippery Trick, for as soon as he arrived in *Normandy*, he immediately went to the new Archbishop of *Canterbury*, then Residing at the Abby of *Pontignie*, and was there Consecrated by him, and performed Canonical Obedience to him, which the King no sooner heard of, but he found out a way to be even with him ; for presently he seized, and confiscated the Profits of the Bishoprick, and delivering the Seal to *Walter de Gray*, made him his Chancellor.

I must now mention a remarkable Transaction that happened this Year in Ecclesiastical matters, which I think I ought not to Omit, tho' I find it mentioned in no other Author, except the *Annals of Waverlie*, the Compiler of which Part lived in those times ; and he relates, that upon the King's going into *Scotland*, he sent certain Bishops, Earls and other Barons, Commissioners, to *Canterbury*, there to meet the Bishops of *London*, *Ely*, and *Worcester*, who were sent for by the King out of *France* to Treat on the Pope's behalf, concerning a Reconciliation between him and the Archbishop, with the rest of the Clergy ; who all meeting at the time and place appointed, in a few Days they so far adjusted all matters, that the Articles being drawn into writing, were Sealed by the Commissioners of both Sides ; and so Returning to the King, he yielded that a Restitution should be made to the Archbishop, and the Four Bishops who were last mentioned, as also to the Bishop

Anno. Dom. MCCIX.

Cementarius. A Relation of the flattering Sermons of Alexander, Sirnamed the Mason.

[4]

Id. p. 229.

Hugh de Wells the K's Chancellor is chosen B. of Lincoln, who pretending he would go to the Archbishop of Rouen for Consecration, goes to him of Canterbury ; whereupon the K. seizes his Temporalities.

[5]

Sub hoc Anno.

The K. sends certain Commissioners to meet the Bps of Lon. Ely, &c. who treat about his Reconciliation on with the A. Bp. and the rest of the Clergy.

Anno Dom.
MCCIX.

The K. not agreeing to an entire Restitution of what had been taken away from the Bps and Clergy, The Treaty breaks off, and the Bps send him a short Letter.

[1]

Id. ib.
The K. sends for the A. Bp. to Dover, who comes over upon the K's Safe Conduct, together with the Bps last mentioned.

Where the Treaty is again renewed, but upon the Bps refusal to agree to certain Articles, this Treaty also breaks off, as before.

[2]

The Q. is delivered of another Son, named Richard

Anno Dom.
MCCX.

[3]

M.P. p. 229.
The K. keeps his Christmas at Windsor, where all the great Men and Commons of England attend him. The K. again extorts a great Sum of Money both from the Clergy & Laity, without their Consents.

of Hereford, with an Hundred Pounds, besides to each of them an Earnest of an entire Restitution of what had been taken from them; but when the Bishops insisted on this Article on the behalf of all the rest, it much displeased the King; yet these Bishops would not agree to change either that, or any other Article, but wrote him a short Letter, the Contents whereof were, 'That if He and his Ministers would without any delay entirely restore what had been taken from all other Churches and Ecclesiastical Persons, they would then bring the Archbishop to his See, and not otherwise; but it seems the King not consenting to it, the Bishops went back again, and yet delayed publishing the Sentence of Excommunication against the King's Person, till Eight days after Michaelmas.

[1] Upon this the King sent for the Archbishop to Dover, with Letters of Safe-Conduct, under the Hands of divers of his Great Men, for he would not trust the King alone; and upon that security, the Archbishop came to Dover with the Bishops of London and Ely, about the beginning of October; and notice being given to the King of it, he came with several of his Nobles, as far as Chilham, and from thence sent Geoffrey Fitz-Peter, his Justiciary, together with the Bishop of Winchester, and some other Great Men, as his Commissioners to treat with him, and by them he required of the Archbishop and Bishops, certain Articles, which they would by no means agree to, but resolved to adhere unalterably to the Form of Reconciliation above-mentioned, and so the Treaty broke off, and the Bishops returned to the Place from whence they came.

What these Articles were, which the King required, our Author does not tell us; but it is most likely, that they imported his being excused from making an Entire Restitution, of what he had taken away from them; and if so, then indeed it was only the King's sordid Covetousness that hinder'd this Agreement; for as for owning Stephen Langton for Archbishop, it is certain he had already consented to that; yet after this, the King would have again renewed the Treaty, and offered the Archbishop four thousand Marks, in lieu of what had been taken from him; but neither he nor the rest of the Bishops would come over, which I still suppose was, because the King refused to make an Entire Restitution of the Goods of the Clergy.

[2] Nothing else happened considerable in England, but that the Queen was on the Vigil of the Epiphany delivered of a Second Son, called Richard, who was afterwards Earl of Cornwall, and King of the Romans.

[3] King John this Year kept his Christmas at Windsor, where all the Great Men of England attended him, and freely conversed with him, notwithstanding the late Sentence of Excommunication; yet that it was more out of Fear than Love appears by our Author, who says, That the King only watched for an Advantage over those who withdrew or absented themselves from his Presence; yet it seems they did not agree to the King's Demands, for the Annals of Waverly further tell us, That not long after, the King, under pretence of recovering Normandy, and his other Territories beyond Sea from the King of France, took an unaccountable Sum of Money from his Subjects,

Subjects, sparing neither Clergy nor Laity, except the Black Monks, *Ann. Dom. MCCX.* whose Revenues he had received the Year before; also the Knights-Hospitallers and Templars were forced about Easter to pay a great Fine to the King. [4] Then the Jews of both Sexes were by the King's Command seized all over England, and cruelly Treated, till they would ransom themselves, according to the King's Pleasure; some of whom were so grievously tormented, that they gave up all they had, and promised more, that so they might escape such Cruel, and various kinds of Torments.

Here our Author gives us a Relation of a Jew at Bristol, who being cruelly Tormented, yet was so hard-hearted, that he would not ransom himself with any Money; the King hearing of it, ordered, That his Tormentors should every day pull out one of his Cheek Teeth, till he would pay down Ten thousand Marks; so they pulled out Seven of them in as many Days; but on the Eighth day, when they were about to go on with their work, he relented; and so with the loss of seven Teeth, parted with Ten thousand Marks to save the rest; yet am I not satisfied that the King extorted all this Money from the Subjects contrary to the Law, since it appears from the Patent Roll of this Year, that the Archbishops and Great Men gave the King an Aid, for the Defence of the Kingdom and Recovery of his Territories from the King of France.

[5] But instead of this, the King having raised a powerful Army, passed over with it into Ireland, in the Beginning of June; and when he was come to the City of Dublin, there met him more than Twenty Petty Kings and Princes of that Country, who being all struck with a Pannick Fear, did him Homage and Fealty; and there were very few remain'd at Home, except those who inhabited the inaccessible Parts of the Kingdom.

Then the King caused the English Laws and Customs to be there Established, placing Sheriffs and other Officers who were to govern the People of that Kingdom, according to the Laws of England; He also made John de Grey, Bishop of Norwich, his Chief Justiciary, who caused Money to be there Coin'd of the same Weight and Fineness with that of England; so that the like Money might be common in both Kingdoms. When these things were dispatch'd, the King marching with a powerful Army, took a great many of his Enemy's strong holds, and subdued the Province of Connaught, and took Cathol, King thereof, Prisoner; He also seized the Lands and Castles of Walter de Lacy (a Nobleman then in Rebellion) who with many others flying before him, dreaded nothing more than to fall into his Hands; then coming into the Province of Meath, he there took Maud the Wife of William de Brause, and her Son William together with his Wife, in a certain Castle; who being all brought before the King, laden with heavy Fetters, he sent them over into England, to be kept close Prisoners in the Castle of Windsor, where not long after they all, by the King's Order, perished with Hunger; only William de Brause the Husband, escaping out of Ireland in Disguise into France, died not long after, near Paris.

[1] King John having thus reduced the greatest Part of Ireland to his Obedience, made hast to return into England, because he heard that the Welsh, who were Confederates of Hugh Lacy and William de

*Annus Dom. 1204. Brank, were about to invade England; wherefore the King embark-
MCCX. ing, landed in Wales on the 30th of August, and making great hast
As soon as the K. arrives he summons all the Clergy & Religious Or-
ders before him, whom he makes to pay vast Fines.*

*Brank, were about to invade England; wherefore the King embark-
ing, landed in Wales on the 30th of August, and making great hast
to London, caused all the Prelates and Clergy, and Religious Orders
of England, to appear before him; upon which General Summons,
there came all the Abbots, Priors, Abesses, Knights-Templars and
Hospitaliers, with the Guardians of the Cistercian Order, and other
Transmarine Aliens of what Order soever; who were all forced to
make such great Fines, that it was reported, the Sum amounted to
an Hundred Thousand Pounds Sterling; for the White Monks a-
lone were forced to pay to the King 40000 l. of Silver, besides
what he took from other Orders. The Annals of Waverly, (notwith-
standing their Exemptions) also tell us, That he exacted from
the Cistercian Order alone, the Sum of above Three and Thirty
thousand Marks, by which Exaction, they were so much im-
paired, that they were dispersed through the Monasteries of all
the other Monks in England; and the King was so great an
Enemy to this Order, that he forbade any of them to pass over be-
yond Sea, or to come over hither.*

The Reason of the King's great Severity to this Order.
*But Walter of Cogestry gives us the Reason, why the King was
more severe to the Monks of this Order, than to any other, because
that they relying upon their great Privileges, would by no means
consent to contribute to the Taxes, which all others of the Clergy
then paid; so that to be revenged of them, he Confiscated their
Goods, nor would permit them to hold any General Chapter of
their Order, till at last they were forced to part with a great Sum
of Money, to pacify the King's Displeasure against them. These things
(saith my Author) were the more easily done, because many of the
Bishops, whose Duty it was to stand up for the Liberties of the
Church, were now absent beyond Sea, and those that stayed here,
loved rather to enjoy their Estate in Quiet, than to oppose the King;
but as for the Bishop of Winchester, he was so far from opposing it,
that he was the Chief Instrument the King made use of in all his
Exorbitant Actions. And here, were I only to follow Matt. Paris,
I need say nothing farther concerning the New Archbishop of Can-
terbury; but the Annals of Waverly have given us an Account of a-
nother Transaction between the King and him, which I can find no
where else, viz. That King John now sent him Letters of Safe-Conduct,
under the Seals of divers of his Nobility, as he had done the last
Year, inviting him to come over, and meet the King at Dover; for
which end he came thither in Person; but the Archbishop hearing
that none of those Nobles whose Lettres he had received, were
come thither with him, would not venture over; and so the King
return'd Home, much more enraged against him than before.*

*The K. invites the A. Bp to meet him a-
gain at Dover, but he refuses to come, and for what Reason.*
*As for Foreign Affairs, I find nothing worth remarking, but that
the [2] Emperor Otto having been the Year before solemnly Crown'd
at Rome by Innocent, then Pope; he now notwithstanding quarrelled
with him, because the Emperor had possessed himself of Sicily, and
had taken divers Castles, and other Territories belonging to the Em-
pire, which had been Usurped by the Pope and Frederick, late King
of Sicily, during the last Vacancy of the Imperial Throne; the Em-
peror alledging, that he was bound by his Coronation-Oath to re-
cover them, and the Pope assenting that they did not belong to
him*

him, and thereupon Excommunicated him, and Absolved all his Subjects from their Oaths of Allegiance to him.

King John kept his Christmas at York, his Earls and Barons attending him there; [3] after which he went to *Whit-Church in Shropshire, and being there met by a very great Army, he marched into the furthestmost Parts of Wales, as far as Snowdon; so that the Petty Princes and Nobles submitted without any Opposition; and then to secure their future Subjection, he took of them 28 Hostages, and so return'd with Honour and good Success to Whit-Church the 15th of August; and going from thence to Northampton, there met him Pandolf, who (tho' but a Sub-Deacon, yet) being much in favour with the Pope, was come over hither as his Legate, accompanied with one Durand a Knight-Templar as an Assistant, they being sent on purpose into England to make Peace between the King and the Ecclesiasticks; then at their Request and Mediation the King freely granted, that the Archbishop of Canterbury, and the Monks, and all the Proscribed Bishops might return in Peace and Security to their own Palaces; but because the King would not make Satisfaction for the Goods of the Archbishop and Bishops, which were Confiscated, and for the Damages he had done them, the Treaty came to nothing, and the Nuntio and his Assistant returned into France.

But the Annals of the Monasteries of Burton and Waverly, (the Former under this, and the Latter under the Ensuing Year) have given us an Account of a long Dialogue between the King and the Legate; and because it may serve to shew you the Obstinate Humour of this King, as also the Insolent Pretensions of the Pope over the Kings and Princes of that Age, I shall here give you an Abstract of it, being to this Effect:

The Pope's Nuntio being admitted into the King's Presence, were asked by him the Cause of their Coming; They told him, That it was to Reconcile him to the Church, and prevail upon him to Swear to restore whatsoever he had taken from it, and also to receive the Archbishop of Canterbury, and his fellow Bishops in Peace; to all which the King freely answered, I will reveal to you the Secrets of my Heart, you may make me Swear what you please, yet I will never give him such a Safe Conduct, but that I may cause him to be Hanged whenever he enters my Kingdom: Hereupon, they told him, It was very well they knew his Mind; and then asking him if he would say any thing further, he answered, he had spoken what he had to say; whereupon they replied, that they hoped he would have said something to prove the Justice of his Cause, or else to give the Pope some Satisfaction; whereas all they had hitherto heard him say, tended rather to make them confirm the Interdict, than release it.

The King being moved at this, replied, That he granted the Pope to be his Spiritual Father, and, as St. Peter's Successor, he ought to obey him in Spiritual things, but not in Secular, which concerned his Crown; and then he proceeded to shew the great Breach of Trust committed by those 14 Monks of Canterbury, who at his own Expence had been sent to Rome, by whom indeed he had written to the Pope, that whomsoever they should Elect for Arch-

Ann. Dom.
MCCXI.

[3] Id.

Alb. Mon.
Sermon.

The K. keeps his Christmas at York, and then raising a great Army marches against the Welsh, whose Princes submit, and give Hostages.

Pandolf the Pope's Legate meets the K. at Northampton, where the K. agrees to receive the A. Bp, and the rest of the Bps, but breaks off upon the old Article of Re-stitution.

An Account from the Annals of Burton and Waverly, of what passed between the K. and the Legate at this Meeting.

bishop

Anno Dom.
MCCXI.

bishop (provided he were an *Englisman*) he would own him; but that those Monks had surprized him in Vacating the Election of the Bishop of *Normich*, and Chusing Cardinal *Stephen*; then he set forth the antient Rights of his Ancestors, who had always Nominated the Archbishops of *Canterbury*, and that *St. Wulfstan* had received his Crozier at the Hands of *Edward the Confessor*; yet that the Pope would now deprive him of all those Liberties which his Predecessors had enjoy'd.

To which Master *Pandolf* replied, That whereas he alledged, the Pope had only power in Spiritual Things and not in Temporal, he would have him to know, That he ought to obey the Pope in Temporal, as well as in Spiritual Things; and then pressed him with his *Coronation Oath*, as if by Swearing he would protect the Rights of the Church, there was included a tacite Obedience to the Pope in all things whatsoever; Then they proceeded to give a long Account to Justifie the last Election made by the Monks at *Rome*, urging against him his own Letter to the Pope, by which he had authorized them to chuse any *Englisman* Archbishop, which could not well consist with the Election of the Bishop of *Normich*; then as to what he urged concerning the Rights of his Predecessors in conferring the Archbishoprick; they replied, That he was not Heir to *Edward the Confessor*, but to King *William the Bastard*, who (as likewise himself and all his Progenitors) always endeavoured to destroy the Church; and that he rather now preferred the Wicked Laws of *William the Bastard*, than the Good and Just Laws of *Edward the Confessor*; but as for what he alledged concerning the King his Father's Nominating *Thomas Becket* to be Archbishop, that after the Archbishop's Martyrdom, King *Henry* had by his Charter granted to the Monks of *Canterbury*, a full Power for the future to Elect an Archbishop without the Consent of the Bishops; and that thereupon the said Monks then Elected *Richard*, Prior of *Dover*, Archbishop; to which (tho' False in matter of fact) the King replied nothing; but that his Father could not do it, to the Prejudice of his Successors; Then *Pandolf* answered, but You your self have agreed to it, and sworn to observe what they have granted, and have thereby confirmed it, wherefore then should you not observe it? Then after some Silence the King offer'd, That out of respect to the Pope, he would consent, that if he would deprive this New Archbishop, and Nominate any other Person, he would receive him; to which the Legate returned, That the *Holy Church* could not degrade an Archbishop without manifest Cause, but would rather humble Kings and Princes than proved Rebels to her; Then the King repl'd, *You only threaten; You suppose so to subject me to You as you have done the Emperor OTTO, my Nephew;* which the Legate granted to be true, and said, That his Lord, the Pope, very well knew, that as he had made him Emperor, so he had also deposed him; so could he also Humble the King as well as any other Prince; who thereupon replied, That they could speak more ill, than they were able to perform; the Legate to this replied, That as the King had discovered to them the Secrets of his Heart, so they would do the like to him, and therefore they would let him know, That the Pope had already *Excommunicated* him,

' altho'

' altho' the Execution of the Sentence was suspended till their *Anno Dom.*
 ' coming into *England*; that therefore since he continued Contu- *MCCXI.*
 ' macious, he was further to know, That he now stood *Excommu-*
 ' nicated; Then the King asking him, what they could do more?
 ' The Legate to this return'd, That he was further to take Notice,
 ' That whoever for the future kept him Company, stood likewise
 ' involved in the same Sentence; and upon the King's repeating
 ' the same Question, he added, That they now (that very Day)
 ' Absolved all Earls, Barons, Knights, and all Clergy-men,
 ' and Free Lay-men from their Fealties and Homages in which they
 ' stood obliged to him, and would leave the Bishops of *Winchester*
 ' and *Norwich* to see it perform'd; and that they would Absolve
 ' all those who would take up Arms against Him. Nor was this a-
 ' ny hard Matter, because divers Princes, Dukes, Earls, and Ba-
 ' rons, had two years since offer'd the Pope to Invade the King-
 ' dom, and subdue it for whom he should please to bestow it; pre-
 ' tending also, that whenever the Pope sent his Army into *England*,
 ' all the People should resort to his General, or else should be re-
 ' duced to perpetual Servitude; but when the King asked again,
 ' what they could do more? The Legate plainly told him, That
 ' neither He nor any Heir of his, should from that day forward
 ' wear the Crown; at which the King replied with some concern,
 ' that tho' they had pretended to come over to Promote his Cause,
 ' yet he now plainly saw, that it was only to Depose him. Then
 ' he swore *By him who rules all Things, That if they again entred his*
 ' *Kingdom, he would make them and theirs Ride for a Year.* What the
 ' King meant by this I know not, but the Legate took it in that
 ' Sense, as if he would order them both to be Hang'd; yet told him,
 ' That they had hitherto promoted his Cause, and had come over
 ' at his Command, hoping, that he would obey God and the Pope,
 ' and make Satisfaction to the Church; but he had deceived their
 ' Expectations, and in return for the love they bore him, was now
 ' about to do all the Mischief he could to himself and his King-
 ' dom, which they had forewarn'd him to avoid; but they called
 ' God to Witness, that they had come hither upon no other Er-
 ' rand, than to suffer Death if there were occasion, for the Cause
 ' of the Church; neither did they expect any other Reward at the
 ' King's Hands.

This is the Sum of the Discourse, which these *Annalists* relate to
 have passed between the King and the Pope's Legate. How far this
 was real, I will not determine; but it seems not to agree with *Matt.*
Paris's Relation, who places the definitive Sentence of King *John's*
 Deposition in the Year following; but these Monks further relate,
 That then the King, to terrifie the Legate, Commanded his Sheriffs
 and Foresters, to bring before him such as were in Prison, (I sup-
 pose for Offences done in his Forests) some of whom he com-
 manded to be Hang'd, some to have their Eyes put out, and others
 to be Dismember'd; among these there was a certain Clerk, who
 was a †Notorious Forger of Writings, whom the King commanded
 to be Hanged; which when the Legate heard, he threatened to *Ex-*
communicate all those, who should presume to do it, and called for
 a *Taper for that purpose; which the King perceiving, he ordered

the first lighted.

Note, That
 no Sentence
 of *Excommu-*
nication could
 be then pro-
 nounced, un-
 less a Taper or
 Candle were
 first lighted.

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MCCXI.

the Clerk to be delivered to the Legate to be punished as he thought fit; then as soon as the Legate was departed the Kingdom, the King took of those military Men who failed to attend him in the late *Welsh* Expedition, for every Knight's Fee; Two Marks of Silver.

[4]
M. P. p. 230
Prince *Llewelyn* makes new Incursions into *England*, but is repuls'd with Loss.

[5]
Id. lb.
Reginald Earl of *Boloign* is expelled his Earldom by the K. of *France*.

[1]
p. 231.
The Pope solemnly absolves the Subjects of *England* from their Allegiance to the King.

The Names of such as were then look'd upon as his Evil Counsellors.

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[2]
M. P. C. M.
The King Knights *Alexander*, only Son to the K. of *Scots*.

The reason of the *Scottish* K's confidence in *K. John* at this time.

[1] *Matt. Paris* defers the Pope's Solemn absolving the King's Subjects from their Allegiance till the latter end of this Year; when he tells us, that being further incensed at his Obstinacy in refusing the Admonitions of his Nuncio, he *new Absolved all his Subjects, High and Low, from their Fidelity and Subjection to him; strictly injoyning all manner of Persons under the Pain of Excommunication, to avoid him in private and in Publick, both at his Table, and in Council, and even in common Conversation; for the King had at the time of this Interdict divers Counsellors about him, whom our Author does not scruple to Name; such as were William Earl of Salisbury, the King's half Brother, Aubrey de Vere, Earl of Oxford, Geoffrey Fitz Peter, Justiciary of England, Hugh de Nevil, Chief Warden of his Forests, William de Brotham, Warden of the Cinque Ports, and divers other Noblemen, all whose Names it would be too tedious to Relate; besides Three Court Bishops, viz. Durham, Winchester, and Norwich, with Richard de Marisco, the King's Chancellor; who all, striving to please him in all things, were supposed not to give him Council according to Law or Reason, but his own Humour.*

[2] King *John* now kept his *Christmas* at *Windsor*, and in *Lent* following held a great Feast at *Clarken-well*, where he Knighted Prince *Alexander*, only Son and Heir to the King of *Scots*, who then returned home with the Applause and Congratulations of both Kingdoms; so that it seems the King was not, for all the Pope's *Excommunication*, so far abhorred by Neighbouring Princes; as to make them avoid his Conversation. But *Walter of Coventry* gives us the true Reason of this more than ordinary Confidence of the King of *Scots* in King *John*, viz. because being now pretty well in Years, and finding the further Parts of his Kingdom much disturbed with Intestine Seditions, he implored the Assistance of the King of *England*, and had sent to him his only Son, and committed him to his Care entirely; but he then Returned him back again with Honour and large Promises of his future Kindnesses and Protection.

Not

Not long after this the *Welsh* made several Hostile Incursions, and taking several Castles in *England*, put those that defended them to the Sword, burnt many Towns, and returned with great Spoils into their own Country: The King being much provoked at this Action, levied a great Army of Tenants by Knights Service, besides ordinary Horse and Foot, resolving to harraß all *Wales*, and Root out the Inhabitants; and in Revenge, hanged up the Twenty eight Hostages which had been delivered to him the Year before: But when he was ready for this Expedition, he received Letters from the King of *Scots*, and his Natural Daughter, Wife to Prince *Llewelyn*, of a Trayterous Conspiracy formed against him, which at first he slighted, and so marched forward to *Chester*, but there he again received other Letters to the same effect, that if he went on, he should either be slain by his Noblemen, or delivered up to his Enemies: At these repeated Advices he seemed much concerned, but when he understood that the Great Men of *England* were absolved from their Obedience and Fealty to him, he gave more Credit to the Letters; and then changing his Design, Disbanded his Army, Returned to *London*, and sent his Commissioners to all the Great Men he suspected, to send him Pledges, that thereby he might know who were ready, and who refused to obey him: Then upon this they who durst not oppose the King's Commands, sent their Sons, Nephews and nearest Relations, that so they might in some measure appease his Indignation: but *Eustace de Vascie*, and *Robert Fitz-Walter*, being accused of Treason, fled out of *England*, *Eustace* into *Scotland*, and *Robert* into *France*.

Dr. *Powel's* Chronicle justifies this Insurrection of Prince *Llewelyn*, as that not being able to endure the injuries his Subjects suffered from the King's Garrisons in *North-Wales*, he called to his Assistance *Gwenwynwyn*, Lord of *Powis-Land*, *Maelgon ap Rees* from *South-Wales*, *Madoc ap Gryffith* from *Brown-Field*, *Meredyth ap Robert* from *Cydewen*, and to these, who were then the Chief Lords and Princes of *Wales*, he declared their miserable Condition: how they, who were wont to have a King of their own Nation, were now by their own private Discords brought into Subjection by Strangers, to which he added in few Words, that if they would but agree among themselves, they might yet defend their antient Rights: Which when they had all promised to do, and had Sworn Fealty to Prince *Llewelyn*, they forthwith gathered an Army, and won all the Castles in *North-Wales* and *Powis*, except *Rutland* and *Diganny*; and then marching further into *Powis*, they laid Siege to the Castle of *Mathreval*, which *Robert de Vipont* had lately built: but when the King heard this, he levied an Army, and marched thither to raise the Siege, which he quickly did, and caused the Castle to be Demolished (as not worth keeping,) but then having greater Affairs in Hand, he returned Home. Yet, being a little afterwards at *Nottingham*, and hearing that the Prince of *Wales* still destroyed the Marches, he Commanded the Hostages to be Executed, as has been already said; who were most of them hopeful Youths, being the Sons of the Chief Men of *Wales*: To which this Author also adds, that the said *Robert de Vipont* caused *Rees* the Son of *Maelgon* to be hanged at *Shrewsbury* by the King's Order, being a Child of not

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The *Welsh* make fresh Incursions, take several Castles; upon which, the K. resolves to make War upon that People. But upon notice from the K. of *Scots*, and the Wife of *Llewelyn*, of a Treasonable Conspiracy against him, he Returns home.

Much more of this kind is to be found in the original History, but has been here omitted for brevity's sake.

The *Welsh* Chronicle justifies this Insurrection, and gives a larger Account of it.

Upon a speech of *P. Llewelyn* to the *Welsh* L's. Confederate and take many strong Castles in *Wales*, whereupon the K. raises an Army, marches into *Wales*, but does little. And at his Return causes the Noble men's Sons who were given for Hostages to be executed at *Shrewsbury*.

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Seven Years old; so much did King *John* exceed his Father in Cruelty; who was satisfied with only putting out the Eyes of his *Welsh* Hostages. And indeed it was a deplorable Object to see these Innocents so cruelly put to death for the offences of their Relations; tho' it must be owned, that their Levity and Treachery can no ways be excused, who gave the King so great a provocation thus to exert his Cruelty upon their Children and Relations.

[3] Sometime after this, *Peter* a Hermite of *Wakefield* in *Yorkshire*, who had often taken upon him to foretell things to come, he Prophecied that by *Ascension-day* following, King *John* should not be King; but on that Day the Crown should be transferred to another; which when he heard, he caused the Hermite to be seized and brought before him, and then asked him, whether he was that day to die, or else by what other means he should be deprived of his Crown; but all the King could get from the Hermite was, to bid him assure himself that on that day he should not be King, and if he were convicted of a Lye, he might then deal with him as he pleased; to whom the King replied, it should be according to his own offer, and so committed him to the Custody of *William de Harecourt* to be kept close Prisoner, till it was seen what would be the issue of his Prediction: In the mean while this was firmly believed by the People, as if it had been a voice from Heaven; so easily and credulous have the *English* vulgar always been observed in the belief of Prophecies.

[4]

Id.
p. 232.
The K. had
now highly
incensed the
Nobility a-
gainst him,
and for what
cause.

Many of
them hearing
they were ab-
solved from
their Allegi-
ance, Seal a
Charter to the
K. of *France*.

The sad ef-
fects of the
K's jealousy
of his Sub-
jects.

Many of the
Nobility quit
the Realm.

[4] Here our Author farther adds, that the King being a Prince of Insatiable Lust and Cruelty, had now highly provoked divers of the Noblemen of the Kingdom by debauching of their Wives and Daughters, or by Banishing their Relations, or else by Reducing them to Poverty through his illegal Exactions, so that he had thereby made himself almost as many Enemies as there were Noblemen in the Kingdom; and our Monk further tells us, that when they knew themselves to be absolved from their Fidelity by the Pope, they exceedingly rejoiced: For if common Fame might be credited, they had every one of them Sign'd and Seal'd a certain Charter which they sent to the King of *France*, assuring him, he might safely come into *England*, obtain the Kingdom, and be Crowned with Honour. From whence the Reader may observe, that it is no new thing for the Nobility of *England*, when their Kings have broken the Conditions of Government express'd in their Coronation Oath, to seek the Protection of a Foreign Prince, in Hopes of finding better Usage from him; but of this you will hear more a few Years hence.

Walter of *Coventry* is more exact in setting forth the sad effects of this King's fear and suspicion of his Subjects; for he says, that after he had banished a great many Noblemen, he had the rest in such suspicion, that he never went abroad but well Armed, and surrounded with a Guard; and moreover he often clapt up some of those, that before seemed very intimate with him, and suddenly taking the strong Places of divers of the Earls and Barons into his own hands, the whole Kingdom was thereupon in a general Commotion. Wherefore many of the great Men, being either conscious of some Crime, or else fearing the King's Displeasure, stole a-
way

way into Scotland or France, as particularly *Eustace de Vescie*, and *Anno. Dom. Robert Fitz-Walter*, whose Lands and Goods the King had seized, *MCCXII.* and also demolished a Castle in London, belonging to this Lord *Baynard's Castle.* Robert, called *Baynard's Castle*, as likewise several other Places of strength.

[5] But when the King was rid of these Great Men, he began to carry himself more mildly towards the rest of his Subjects, and amongst his many severe Actions, did this one good one, that finding the Nation much oppress'd by the cruel Exactions of his *Foresters*, and having compassion upon the sufferings of the People, he Remitted the *Fines* they had unjustly Exacted; and farther made all Officers of *Forests* to take an Oath, that for the future they would not demand any thing from the People, but what had been wont to be paid in his Father's Reign. At the same time also he Remitted several Exactions which had been lately laid upon the Sea-ports, on pretence of guarding them from Foreign Enemies, and also in divers other matters, seemed very kind and favourable to the Petitions of poor Widdows and others that were any ways oppress'd; but all this was Interpreted as done meerly out of Fear, and to obtain the Favour of the Common People.

About this time, [1] *Stephen* Archbishop of *Canterbury*, *William* Bishop of *London*, and *Eustace* Bishop of *Ely*, went to *Rome*, and informed the Pope of the many Enormities King *John* had committed since the *Interdict*; lifting up (as they termed it) the Hand of Oppression and Cruelty against God and *Holy Church*; and therefore humbly besought him in this Extremity to Commiserate and Assist the *English Church*.

The Pope seem'd very much Concerned, when he had heard their Complaints, and by the Advice of his Cardinals, Bishops and other Great Men, pronounced the Sentence of *Deposition* or *Depriuation* against King *John*, and farther resolved that a more worthy Person should succeed him: And therefore to this end the Pope wrote to *Philip* King of *France* to put this Sentence in Execution; and to render him the more willing to undertake it, he granted to him Remission of all his Sins, together with the Kingdom of *England* to himself and his Successors in perpetual Right, when once he had Dethroned and Expelled the present Possessor.

He also wrote to the Great Men, Knights and other Warriors of divers Nations, that they should undertake this War, Signing themselves with the *Cross* (as if it were for that of the *Holy-Land*) for the Dethroning of King *John*; and that they should follow the King of *France* as their General in this Expedition, and labour to vindicate the Injury done to the *Catholick Church*; and farther Decreed, that whosoever should contribute either Money, or other Assistance towards the subduing of this Contumacious King, should be secure not only in their Goods and Persons, but also as to their Souls, through the Prayers of the Church: And that they should enjoy the same Priviledges with those who Visit the Sepulchre of our Lord.

[2] With this large Commission, the Pope sent *Pandulph* his Nuntio with the *English Bishops* for *England*; first giving him Instructions, that every thing should be punctually put in Execution,

[5]

Id. ib.

After their departure, the K. grows more merciful to the common People.

[1]

M. P. p. 232
The A. Bp. with some Bps go to Rome to excite the P. against King John; whereupon a Sentence of Deposition is issued out against him.

The Pope writes to the K. of France, to put this Sentence in Execution, and grants him great Indulgences for so doing.

[2]

The Pope's private Instructions to his Legate.

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MCCXII.

according to his Order. Then the Legate, when the Company were all withdrawn, privately asked the Pope, what he should do, if the King of England should Repent, and make Satisfaction to God and the Roman Church, and all others concerned in this Business? Whereupon the Pope prescribed certain Conditions of Peace, to which if the King would Assent, he might yet obtain the Favour of the Apostolick See.

[3] Nothing else happened remarkable this Year, [3] but that a great Fire beginning in Southwark; the Church of St. Mary Overy's was burnt, and the Fire going on to London Bridge, not only a great part of that, but also of the City it self was consumed to Ashes; and which was worse still, a great number of People perished by this means; for whilst they ran over the Bridge, some to behold, others to help to quench the Flames, the Houses on the North End thereof took Fire, and presently after the other End of it also; so that the Multitude being thus Enclosed both behind and before, many of them were forced to leap into the River, whilst others, crowding into the Boats that came to their Relief, were the cause of their own Destruction, the Boats and People sinking together; so that what with the Fire, and what with the Water, near 3000 Persons were supposed to have perished by this unfortunate Accident, which happened on the 10th of July.

Near 3000
Souls perished
either by Fire
or Waters.

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[4] This Year King John kept his Christmas at Westminster, being very slenderly attended by his Nobility; and about the latter End of January, the Archbishop of Canterbury, with the Bishops of London and Ely, Returned from Rome into France, where they held a Council, and made known to King Philip and the Bishops and Clergy of that Kingdom, the Sentence that had been Solemnly pronounced at Rome against King John for his Contumacy; and belought them, as well for the sake of the Pope, as for the Remission of their own Sins, unanimously to Invade England, and Depose King John, by the Authority of the Apostolick See, and to set up another more Worthy Person in his Room.

Upon this the King of France, now seeing what he had so long desired, was come to pass, presently prepared himself for the Expedition, and Commanded all his Subjects, Dukes, Earls, Barons, and Knights with their * Esquires, to be ready at Rouen with their Horses and Arms, on pain of Culvertage, and of incurring the Crime of Treason, (which was then termed Felony.) He likewise caused all his own Ships, with as many as he could muster together, to be very well stored with all sorts of Provisions and Ammunition.

† But notwithstanding this great preparation, Pandulph the Pope's Legate, being now arrived in France, would not permit that King to Invade England, till such time as he had once more gone over, and tried whither King John, being alarmed with these preparations, could not be brought to Repentance, and so make Satisfaction for the Injuries he had done to the Archbishop of Canterbury and the Clergy.

[4]
M. P. ib.
The Bp's of
England Re-
turn from
Rome into
France, where
they held a
Council, and
acquaint that
K. and his Bps
with the Pp's
Sentence a-
gainst K. John.
And excite K.
Philip to de-
pose him.
Who there-
upon raises
a great Army.
* Servientes.
Culvertage, Du
Fresne in his
Gloss, inter-
prets, Con-
fiscation of
Goods and
Estate.
† Rad. Niger,
Ms. in Bib.
Cotton.

[4] In

[5] In the mean time, King *John* being certified by his Spies, what was doing beyond Sea, considered with himself how he should prevent these Designs; and therefore in the Month of *March*, He issued out a Writ directed to all Bayliffs of Sea-Ports, &c. thereby Commanding that all Ships of whatsoever Ports through *England*, which could carry Six Horses or more, to be listed, and the Masters and Mariners to be ready at *Portsmouth* by *Mid-Lent* following, and the Bayliffs, were to Return up to the King a List of the said Ships; and having now made this Provision for his Defence by Sea, he likewise took the same Care at Land, by directing other Writs or Commissions much of the same Nature to all Sheriffs of the Kingdom, straightly Commanding them that they should Summon all the Earls, Barons, Knights, Freeman and Esquires, (whoever they were, and of whomsoever they held) that ought, or could have Arms, and who had done Homage and Fealty to him, to be ready with their Horses and Arms at the close of *Easter*; and that none should remain at Home who could bear Arms under the like Penalty of *Culvertage*, which it seems was then a like Term for this Fault, as well in *England* as in *France*; and those who had no Land, and yet could bear Arms, were likewise to appear at *Dover*, and enter into the King's Pay: and the Sheriffs were also to Return a List to the King of those that freely left their several Bailiwicks, as well as of those who refused to stir: They were also to Command all Markets adjoining to follow the King's Camp, and not to be held elsewhere.

I have been the more particular in giving an account of this Writ or Commission of Array, because the Reader may draw divers useful Observations from thence, concerning the *Militia* in those times; as first that the *Sheriff* was then the only Chief Officer, as well Civil as Military of each County: As also that the ordinary *Militia* of *England*, (consisting of the Tenants by Knights Services) were then the only Forces for the Defence of the Kingdom; no constant standing Armies being at that time in fashion, either in *England* or *France*.

[1] But to return to our History; upon these Writs, in divers Places upon the Sea-Coasts, especially about *Dover*, *Feverham*, and *Ipswich*, (where it was most suspected the Enemy might Land) vast Multitudes of all sorts and conditions of Men presently Listed themselves, who feared nothing more, than the Reproach of *Culvertage*; which seems to have been then not only a Penalty, but also a Term of reproach for Cowardize: But their Numbers being so great, that they began to want Victuals, the Commanders sent home Thousands of the unarmed Rabble, and retained the Knights, Esquires, Freeman, Cross-bow-men and Archers.

[2] The Bishop of *Norwich* also about this time Landed out of *Ireland* with 500 Foot Soldiers, and many Horse to attend the King, and was kindly Received by him: Infomuch that the whole Force that was then Mustered upon *Barham-Down*, consisted of Sixty Thousand Stout and well appointed Men; upon which our Author very justly observes, that if they had been then all of one mind,

Anno Dom.
MCCXIII.

[4]

M. p. 433.
The K to
prevent these
designs, sends
out Writs to
Press all the
Ships he
could.

Id. the Writ
as large in
Matt. Paris
And likewise
issues other
Writs to the
Sheriffs to
Summon all
the Military
Tenants of
the Kingdom,
And that none
should remain
at home upon
pain of Cul-
vertage.

[1]

Id. ib.
Upon these
Writs great
Multitudes
list themselves
on the Sea-
Coasts of
England.
Which grow-
ing too nu-
merous, many
of the meaner
sort are sent
home.

[2]

Id. ib.
The Bp. of
Norwich comes
over out of
Ireland, with
500 Foot, be-
sides Horse;
which made
up an Army
of 60000 Men.

Anno Dom.
MCCXIII.

to take an Oath, that they would not either by Themselves, or any Other, attempt any thing against his Person, or Crown.

Sixthly, He also promised Restitution, and sufficient Satisfaction for what they (whether Clerks or Laicks) had been endamaged, either in their Goods, or Liberties.

Seventhly, That he would cause all Clerks and Laicks who had been kept in Prison upon the Account of this Quarrel, to be released; and that presently after the Legate's arrival (who could Absolve the King) he would pay him, in part of Restitution, what had been taken away from the Archbishop, Bishops, and Monks, the Sum of Eight thousand Pounds Sterling, which was to be divided between them, according to the several Rates and Proportions therein express'd.

Lastly, He was forced to renounce and recall for the future the Out-Lawry of all Clergy-men, as not at all belonging to his Jurisdiction; as also the Out-Lawry of Lay-men, as far as related to this Matter.

Upon the true Performance of all which Particulars, the Sentence of the Interdict was to be released; and if there remain'd any Doubt or Dispute concerning these Articles, they were to be Judged and Determined by the Pope's Legate. This Charter bears Date at Dover, the 13th Day of May, being the Fourteenth Year of this King's Reign.

[3]

The Legate is not satisfied with these Conditions, unless the King resign his Crown into his hands for the Pope's use, which the King also agrees to.

The Resignation is reduced into Writings, and the Contents of it. *See the Charter at large in Matt. Paris. *Consilio.

[3] Nevertheless, the Legate was not content with these Conditions, but pretended that his Crime was so heinous, that nothing could obtain the Pope's Absolution, but the King's absolute Renunciation of his Crown: wherefore two days after, (being the 15th of May) the King with the Great Men of the Kingdom, met again at the House of the Knights-Templars near Dover, where humbling Himself before the Legate, He (according to what had been before resolved at Rome) Resign'd his Crown to the Pope, in the Presence of Pandulf his Legate; which Resignation being reduced into due Form, he thereby confirm'd to the Pope and his Successors, the Grant of the said Kingdoms by his *Charter; wherein having first acknowledged himself to have highly offended God and Holy Mother the Church, therefore in full satisfaction, (not being constrain'd by Fear, but of his own Free Will, and by the Common *Advice, or Consent of his Barons) he granted to God, and to St. Peter and Paul, and to Pope Innocent and his Successors, the whole Kingdom of England and Ireland, for the Remission of his own Sins, and that of his Family, to be held by him for the future as a Feudatary of the Church of Rome. And it likewise recites, that he swore Homage and Fealty to the Pope and his Successors, before the said Pandulf, obliging his Heirs and Successors to do the like for the time being; and for a further Proof of this his perpetual Obligation, he promised to pay a Thousand Marks by the Year Rent, for all other Services, that is, Seven Hundred Marks for England, and Three Hundred Marks for Ireland, by equal Portions, saving to Him and his Heirs the Power of Executing all Justice, and creating Justices, with all Liberties and Royalties.

There is also at the end of the Charter, a Remarkable Clause, whereby he obliged Himself and his Successors, not to revoke it, which is expressed in these Terms, That if He or any of them should presume

presume any ways to contradict it, whosoever he were, unless upon admission, he repented of it, he should immediately *forfeit his Right to the Kingdom; This Charter is Witnessed by the King himself, in the Presence of Henry, Archbishop of Dublin, John Bishop of Norwich, and divers Earls and Noblemen of the Kingdom, whose Names you may find in my Author at the end thereof.

[4] This Charter being Seal'd, the King delivered it to Pandulf to be carried to Pope Innocent, and then in the Presence of them all did Homage to the Pope, as his Supreme Lord, represented by Pandulf, in the most submissive and abject Manner, according to the Forms and Customs of those Times; promising also to keep and defend the Kingdoms of England and Ireland as the Patrimony of St. Peter; and then it was that Pandulf proudly trode under his Feet the Money which the King had offer'd as a Mark or Earnest of his Subjection; which did not a little trouble the Archbishop of Dublin, who at the same time blam'd his haughty Carriage: These things were done on the Vigil of our Lord's Ascension, the above-named Bishops, Earls, and Barons being present.

[5] Nor can I here omit taking notice of one great piece of Severity (if not Cruelty) of this King, immediately after his Resignation of the Crown to the Legate: You have already heard of Peter the Hermit's Prophecy, That the King should cease to be so, upon Ascension-Day; This, tho' it was in some measure fulfill'd, by the above-mention'd Resignation of the Crown, and his taking it back again upon those Conditions, whereby the King's Independent and Absolute Dominion was totally given up, yet he would understand none of these Niceties; but Ascension-Day being now past, and he still continuing in the Possession of his Throne, he was resolv'd to be revenged of this supposed False Prophet; wherefore the King commanded him to be drawn at Horfes Tails from Corf-Castle (where he was Prisoner) to the Town of Warham, and there to be Hang'd upon a Gibbet, together with his Son, whose Crime I do not find mentioned; tho' if he were not himself a Partaker of his Father's Crime, it was certainly a great Instance of this King's Cruelty. But how severe soever this Proceeding might be, it stands as a good warning in History to deter pretenders to Divine Revelation from taking upon them to Predict the Fates of Princes.

[1] These things being thus dispatched, and the King's Charters above-mentioned delivered to Pandulf, he returned into France with part of the Restitution-Money of the Archbishops and Bishops, for what had been taken from them.

[2] The Legate, as soon as he arriv'd, presently applied himself to the King of France, who then lay ready with an Army to Invade England, and did all he could to persuade him to desist from his Design, for that now he could not prosecute it without offending the Pope, seeing King John was ready to make Satisfaction to Holy-Church, and to Obey the Pope's Orders. The King who was not well pleas'd with what he said, reply'd, He had expended more than Sixty Thousand Pounds in Arms, Victuals, and fitting out of Ships, and had undertaken the Enterprize at the Pope's Com-

Anno Dom.
MCCXIII.Cadit a Jura
Regni.

[4]

The K. there-
upon does
Homage to the
Pope for the
Kingdoms of
England and
Ireland.

[5]

The K. after
Ascension-Day
orders Peter
the Hermite
to be Execu-
ted, notwith-
standing that
his Prophecie
seem'd in
some sort full-
fill'd.

[1]

The Legate
having ob-
tain'd the
Charters, he
desired Passes
over into Fr.

[2]

The Legate
persuades the
K. of Fr. to
desist from his
Enterprize a-
gainst EnglandBut he does
not agree to
it, and the
Reason why.

Anno Domini MCCXIII. commands, and for the Remission of his own Sins, all which now signify'd nothing.

From whence we may observe, what Tools Princes were in that Age to the Pope, who could make them Cudgel one another into Obedience to himself, and when he had once effected it, he valued them no further.

The difference between M. Paris and the French Historians, concerning the Time of the King's Expedition against Flanders.

Next to this in time, *Matt. Paris* places the King of France's Expedition against the Earl of Flanders, whose not joining with him in his intended Invasion, he makes to have been the greatest Obstacle, why that King durst not undertake it; whereas the French Historians affirm with greater Probability, that the Expedition against the Earl of Flanders, was undertaken during the time of Pandulf's being in England.

[3] M.P. P. 238.

K. John is in hopes, by the Assistance of the Emp. and E. of Flanders, to recover his Losses in F. and to that end musters a great Army, but the Barons refuse to attend him; and for what Reason.

The K. sends in all haste for the child.

Rev. Claus.

John. part.

prim. M. & D.

Vid. D. Brady's

Append. N. 101

Id. p. 239.

The K. sends the Bishops a Charter for their greater Security.

They came over, and the K. flings himself at their Feet.

at their Feet.

at their Feet.

at their Feet.

at their Feet.

at their Feet.

at their Feet.

at their Feet.

at their Feet.

at their Feet.

at their Feet.

at their Feet.

at their Feet.

at their Feet.

at their Feet.

at their Feet.

But however, it is certain, that King John being now puffed up with his late seeming Success, was in hopes [3] by the Assistance of the Emperor and the Earl of Flanders, to regain what he had lost in France; to this end he muster'd up a great Army at Portsmouth, which being join'd, the Great Men and Barons refused to follow him, unless he were first absolved from his Excommunication, which hitherto had been deferr'd, under pretence, that the Archbishop of Canterbury was to come over to perform it in Person on the Pope's behalf. Wherefore the King was forced to send for him, and the rest of the banished Bishops, and for their greater Honour, there went to conduct them over, Henry Archbishop of Dublin, John Bishop of Norwich, William Earl of Arundel, with two other Persons of less Note, as appears by the King's * Writ or Letter to the said Archbishop and Bishops, still remaining among the Records in the Tower, by which he desires them to make what haste they could over, because he had long expected their coming.

[4] *Matt. Paris* further adds, That for their greater Security the King was also oblig'd to send them the Charters or Assurances of Twenty four Earls and Barons, that they might return with safety into England, and receive Satisfaction according to the late Articles of Peace. Whereupon, Stephen Archbishop of Canterbury, William Bishop of London, Eustace Bishop of Ely, Hubert Bishop of Lincoln, and Giles Bishop of Hereford, together with the other Clerks and Laicks then in Exile by reason of the Interdict, through the Mediation of Pandulf the Legate, arrived at Dover on the 16th of July, (being St. Margaret's Day) and went to wait on the King at Winchester; who when he knew they were coming, went forth to meet them, and throwing himself at the Feet of the Bishops, beseeched them with Tears to have Mercy on him, and the Kingdom of England; Upon this, they seeing his great Humility, lifted him up from the Ground, not without Tears likewise, and led him to the Chapter-House at Winchester, where, before he was Absolved, he took his Oath, That he would Love, Defend, and Maintain Holy Church and the Clergy, against all their Adversaries, to the utmost of his Power; that he would Re-establish the good Laws of his Ancestors, and especially those of King Edward, and destroy the Wicked ones; That he would Judge all his Subjects according to the just Judgment of his Court, and would restore to every Man his Right: He also swore, That he would make full Satisfaction

to

to all concern'd in the Business of the *Interdict*, for what had been taken from them, before *Easter* next; if not, the Sentence of *Excommunication* was to be renewed against him; Moreover, He swore Fealty and Obedience to Pope *Innocent*, and his Catholick Successors, as it was contained in his late Charter: Then the Archbishop carried him into the Church, and there sung Mass; from whence they went, and Dined at the same Table with the King, to the great Joy and Satisfaction of them all.

[4] On the Morrow after his Absolution, the King sent his Precepts to all the Sheriffs of *England*; that they should cause to meet at *St. Albans*, on the Fourth of *August*, Four Lawful Men, with the Reeve, or Bailiff of every Town, they kept in their own Hands; that so by those and their other Officers, he might enquire and be informed, what Damage every Bishop had sustained, what had been taken from, and what was still due to him.

[5] Then the King made haste to *Portsmouth* in order to pass into *Poitou*, committing the Government of the Kingdom to *Geoffry Fitz-Peter*, and the Bishop of *Winchester*, with direction that they should order all the Affairs of the Nation by the Advice of the Archbishop of *Canterbury*: But when the King came to *Portsmouth*, his *Great Men, Knights, and such as held by Military Tenure, complained, they had been there so long in expectation of this Expedition, that all their Money was spent; and unless he would furnish them with more out of his Treasury, they could not go with him; which the King refusing to do, took Shipping himself with his Private Family, and after three Days arrived at *Jersey*, while his Lords and Great Men returned Home; at length when he saw himself thus Deserted, he came back into *England*; so that nothing was further done in this Design. *Ralph de Coggeshal* lays the Miscarriage of this Voyage, chiefly upon the Barons of the *North*, whom he had summoned to go over with him; but they with one consent denied it, affirming, That they were not obliged to it according to the Tenure of their Estates; and further added, That they were already so impoverished by the late Expeditions at home, that they neither could, nor would do any more; but who were most in fault, whether the King for thus urging their Service, or they for denying it, is hard to Judge at this distance of time.

[1] Whilst the King was absent, and taken up in this unsuccessful Affair, his Justiciaries held a Council at *St. Albans*, with the Archbishops, Bishops, and Great Men of the Kingdom, where the King's Peace was proclaimed to all Men; and it was firmly enjoined on his behalf, That the Laws of King *Henry* his Grandfather should be observed by all Persons, and that all unjust Laws should be abrogated: And there likewise it was further order'd, That no Sheriffs, Foresters, or other the King's Officers, as they valued either their Lives or Limbs, should extort any thing violently from any Man, or presume to wrong any one; nor that they should make **Scotalls* in any Part of the Kingdom, as they used to do.

[2] And now the King immediately after his Return, supposing himself deserted by some of the Great Men of the *North*, rais'd a Powerful Army, that so he might force those whom he looked upon as Rebels to the Performance of their wonted Duty and Service;

Anno Dom.
MCCXIII.

[4]

Id. ib.
He sends to all the Sheriffs of England, to enquire what Damages the Bishops had sustained.

[5]

Id. p. 239.
The K. prepares to go beyond Sea.

* Magnates.
His great Men excuse themselves from going over with him.

Ral. de Coggeshal lays this Miscarriage on the Barons of the North.

[1]

Id. ib.
A Council held by his Justiciaries at St. Albans, where the K's Peace is proclaimed.

* Scotalla; Exactions made by Forest-Officers who sold Ale.

[2]

Id. ib.
The K. seeing himself deserted by his Barons, raises an Army against them, but is admonished by the A. Bp to forbear making War without the Judgment of his Court.

Anna Dom.
MCCXIII.

But when he would have marched forward to reduce them, the Archbishop came to him to *Northampton*, and told him, He violated the Oath he had taken at his Absolution, if he made War upon any one without the Judgment of his Court ; Hereupon, the King with a loud Voice answered, He would not lay aside the Business of the Kingdom for him, who had nothing to do with Lay-matters.

So next Morning early, the King marched towards *Nottingham* ; the Archbishop followed him, and threatned, that unless he quickly desisted, he would *Anathematize* all those, besides himself, that should take up Arms against any Man before the Relaxation of the *Interdict* ; by which means, he caused the King to give over prosecuting the Barons by Force, and left them not, untill he had obtained a competent Day for them, to answer in his Court, and to be tryed there : Yet we do not find that ever they appeared there at all, for the Pope's Legate and Archbishop made their Peace for 'em, as you will find hereafter.

[3]
Id. p. 240.
A Synod of
the Clergy at
London, and on
what Occasi-
on.

The A.Bp
gives leave to
the Monks &
Priests to ce-
lebrate Di-
vine Service
with a low
Voice.

In this Assem-
bly the A.Bp
tells the No-
blemen, that
he had Absol-
ved the K. and
upon what
Terms.

And tells
them, that he
had found the
Charter of
Henry I. and
reads it before
them.

The Nobility
swear to fight
to Death it
self, in main-
tenance of
their Liber-
ties.

[3] Then upon the 25th of *August*, a Council or Synod met at *London*, to compose all Differences between the King and the Barons ; at which time the Bishops, Abbots, Deans, and several Barons, being all assembled in *St. Paul's Church*, with the Archbishop of *Canterbury*, he, before they fell to any Business, so far Indulged all Churches, both Conventual and Parochial, That tho' the *Interdict* was not yet taken off, yet however, they might there Chant over their Canonical Hours, or Prayers, with a low Voice, which was some favour, it being not permitted them to celebrate Divine Service any other manner.

After this was over, in the same Assembly, the Archbishop resolving to keep the King to that Oath he had lately taken at *Winchester*, drew some of the Great Men of the Kingdom aside, and put them in Mind, that when he Absolved the King there, he had made him to swear, That he would abolish all unjust Laws, and cause the good Ones, (that is to say, the Laws of King *Edward*) to be observed by all Men in the Kingdom. He farther also told them, He had found a certain Charter of King *Henry the First*, by which, if they would themselves, they might assert the Antient Liberties they had so long lost. Then producing the Charter it self, he caused it to be read publickly before them, which was received by them with great Joy and Satisfaction ; and being the same with that already recited in the beginning of King *Henry the First's* Reign, I need not repeat here. Only I must needs confess it seems very strange, that this Charter, which is said by this very Author to have been preserved in all the Counties, and most of the Monasteries in *England*, should now be grown so Obsolete and Forgotten, that none of the Bishops or Nobility in the space of 100 years should remember any thing of it. Which shews, that either the Bishops and Noblemen were very ignorant of their own Privileges, or else, that the Liberties granted by that Charter, had been so ill observed since that time, that they were now grown out of date : But whatever might be the Cause, it is certain, they were now so well satisfied with this Discovery, that they all swore in the Presence of the Archbishop, That upon a fit Opportunity they would contend even to Death it self for those Liberties ; and the Arch-

Archbishop promised them his faithful Assistance to the utmost of his Power; and so the Confederacy being firmly concluded, the Conference or Parliament was dissolved. Anno. Dom. MCCXIII.

This is the first League or Confederacy which was ever made by the Barons of *England* of the *Norman* Extraction against the King, in defence of their Antient Rights and Liberties; and this will not appear strange to the Reader, if he pleases to consider, that tho' in the Reign of King *William the First*, and his Sons, it might seem very advantageous to the Great Men of the *Norman* Race to join with the King in oppressing the *English* Nobility; yet in the space of above an Hundred Years, when those very *Normans* were now become perfect *Englishmen*, and found themselves Governed after the same Arbitrary manner as the *English* had been before, I say, 'tis no wonder if they desired some ease from those Burthens, and now began to contend for the Restitution of the antient Laws of King *Edward the Confessor*, and for those Liberties and Priviledges, which had been granted to their Ancestors by King *Henry the First*.

But had not the Bishops and Clergy (being now highly Discontented at the King's Oppressions) joined with the Lay-Nobility in opposing them, the Ecclesiasticks had then so great a Power, that the Laiety alone could never have done any good against the King: And hitherto they had been so far from concerning themselves what Burthens the King laid upon the People, that they rather joined with him in it, so long as they themselves felt nothing of them; but so soon as the King came to Tyrannize over them all alike, the Case was altered, especially when the Archbishop was become the King's secret Enemy, and he and the rest of the Bishops now depended wholly upon the Pope.

But to return to our History from which this Reflection has made us digress, [4] Not long after the breaking up of the above-mentioned Assembly, that is to say, upon the Second of *October*, died *Geoffrey Fitz-Peter*, Justiciary of *England*, to the great Loss of the Nation, as being the Chief Stay and Support of the Kingdom; a Man learned in the Laws, and of great Authority, as well by reason of his ample Estate, as by his Noble Relations. But whither he entered into the late Confederacy against the King, our Author does not mention, tho' it is most likely he did, since he had at the Council at *St. Albans* joined with the Bishops and Great Men in Commanding the Laws of King *Edward* to be observed, which was the same in Effect with King *Henry's* Charter above-mentioned: And certainly it could not be for nothing, that our Author tells us, the King should so hate and fear him, that he never thought himself absolutely King, till he was dead; inso-much that when he first heard the News of it, he Swore by the Feet of God (his usual Oath) that now at length he was King of *England*; and with great rejoicing said to some Lords about him; now when this Man comes into Hell, let him Salute the Archbishop *Hubert*, whom certainly he shall find there; and so from that time forward he took upon him a more absolute Power of contradicting his own Oaths and Contracts, and of setting himself loose from the Bonds of that Agreement he had so lately made.

[4] Id. P. 243.
The death of
Geoffrey Fitz-
Peter, Justicia-
ry of *England*.

[4] Here

Anno Dom.

MCCXIII.

[5]

M. P. Id. Ib.

Matt. Paris

his History of

K. John's Am-

bassy to the K.

of Morocco.

[5] Here our Author proceeds to give us a long Relation of a secret Ambassy which King John sent about this time to the Moorish King of Spain, and Morocco, whom he calls *Admuralius Marmelius*, but his true Name was *Mahomet Enasar*, and gives us also the Ambassadors Names, (that is to say) *Thomas Hardington*, and *Ralph Fitz-Nicholas*, Knights, with *Robert of London* a Priest or Clerk; These it seems were to let this Black King understand, that if he would give him a powerful Assistance, their Master was willing to surrender up his Kingdom into his Power, to be held of him, under an Annual Tribute; and that he would willingly quit the Christian Law, and Embrace that of *Mahomet*: Then our Author further proceeds to give us a long Account of the manner of the Audience, and of the Conversation that passed between that King and the Ambassadors; the Summ of which is, to set forth how much the Moorish King despised their Master, not only for his inconstancy in Religion, but his meanness of Spirit; and how he dismissed them with great Contempt, scarce taking notice of any of them, except *Robert of London*, to whom, finding him to be a very sharp and ingenuous Person, tho' but of an ill Aspect, he gave large presents, because he had told him the Truth concerning the Manners and Humour of the King his Master.

The truth of
this Relation
justified from
those that
cry it down.

I confess this Relation being found in no other Author, seems improbable to some of our late Historians, that King John (whatsoever he thought of the Christian Religion) should dare offer to abjure it, since he might be sure that not only the Pope, but also most of the Princes of Christendom, together with his own Subjects, would have combined to Dethrone him; tho' on the other Side it seems strange that *Matt. Paris*, who lived and wrote his History in this King's Son's Reign, and by his particular Encouragement, should dare to relate it, if there had been no ground for it; besides that the naming of the Persons that were sent then to that Monarch, would have been too notorious a falsehood to be publish'd so soon after the thing done.

But tho' the Subject of their Ambassy as this Author relates it, may be doubted, yet can we not agree with Dr. Brady's Opinion, "who will needs have it pass for a meer Tale or Legend, and a "malicious Calumny raised against that King, to alienate the affections of his People from him, because he had granted his "Kingdom to the Pope, and received it again as a Feudatary to "him; as also because *Matt. Paris* makes this *Robert of London*, the "King's own Clerk, and one of his Envoy's to that Emperor; and "in his Discourse with him, to have made the most horrid In- "vective against his own Prince and Master, that perhaps was e- "ver heard. The First of these Reasons might have been omitted, had the Dr. pleased to take notice of what our Author expressly tells us, that it was that very Agreement or Form of Peace the King had lately made with the Pope and Bishops, that he then repented of, and from which he could find no way to set himself free, but by imploring the assistance of that *Mahometan* Prince. As for the Dr's. Second Reason, I think it less satisfactory than the former, since it is not at all improbable that the Envoy he mentions, when left alone with that Prince, might frankly tell him his thoughts

thoughts concerning the King his Master, since there was no body by who would or could tell Tales; and our * Author says expressly, that he related all this to some of his Confidants in his presence, which was not till some Years after King John's death: However, I shall leave it to every one to judge or believe as he pleases concerning this matter.

[1] The same Year, Nicholas Bishop of Tusculum (now Frascati) being newly made the Pope's Legate in the Room of Pandulf, came about Michaelmas into England, to compose by his Authority the Dissentions between the Secular and the Ecclesiastick States; the Archbishop of Canterbury with the Bishops and Great Men of the Kingdom, met him at London: And tho' the Kingdom was still under an Interdict, yet was he received by the Clergy with a Solemn Procession and Singing; and there it was, that in the presence of the King and this Cardinal, there was a Treaty for Three Days between the King and Clergy concerning the Damages the Bishops and Abbots had sustained, and what had been taken from them; at which time the King offered an Hundred thousand Marks to be forthwith paid, as a full Restitution to the said Bishops; yet with this Proviso, that if it should afterwards appear by Inquisition, that the Guardians the King had placed in Churches, or his other Officers had taken away more, then that he would before the next Easter, according to the Judgment of the Legate and the Bishops make further satisfaction for what had been taken away; and to this he likewise Swore with certain Fidejussors or Sureties.

Whereupon the Legate consented to this Proposition, and would have had it presently put in execution, and took it ill that the Bishops, did not accept of it, which made him a little suspected of shewing the King too much favour; and therefore the Bishops gave a dilatory Answer to this proposal, and only agreed, there should first be an Inquisition made of all the Damages, and of what had been taken from them, and then the Value or Sum total thereof to be presented to the King, who consented to this Agreement; and so there was no more done that Day.

[2] On the morrow, they all met again in the Cathedral Church of St. Paul's, where after many various Discourses about the Relaxation of the Interdict, the King before the great Altar, in the sight of the Clergy and Laity, renewed his * infamous Subjection of the Crown and Kingdom of England, with the Lordship or Dominion of Ireland to the Pope, and the King's Charter which was formerly Sealed with Wax, and delivered to Pandulph, was now * Sealed with Gold, and delivered to the Legate to the use of the Pope, and the Roman Church.

[3] But as to the Restitution of what had been taken from the Clergy, the Third of November was appointed to Treat of it at Reading; but when they were met there on that Day, the King being absent, they were appointed to meet again at Wallingford Three Days after, upon the Sixth of that Month, where the King (as he had done before) voluntarily offered to satisfy the Bishops and all others whomsoever; but this seemed a small matter to such as had their Castles Demolished, their Houses pulled down, and their Orchards and Woods stubbed up; wherefore the King and Bishops agreed

Anno Domini
MCCXIII

1113. P. 246.

The Pope's

Legate comes

into England,

and for what

purpose.

A Treaty

held between

the K. and the

Clergy con-

cerning their

Damages, and

the K's offer

of Restituti-

on.

The Legate

assents to the

K's proposal,

and is there-

fore suspected

of partiality.

The K. before

the Interdict

could be ta-

ken off, pub-

lickly renews

his Subjection

to the Pope.

Faintly.

Bullata.

The K. again

offers to make

good his first

proposal, but

is not accept-

ed by the

Clergy.

to

Anno Dom. to refer the matter to the Arbitration of Four Barons, so that **MCCXIII.** the King should make satisfaction according to their Judgment.

The matter is referred to the Arbitration of Four Barons. After this the King and Legate with the Archbishop, Bishops, and all the Religious Persons concerned in the business, met again at *Reading* on the Sixth of *December*, where every one produced a Schedule or Inventory of what had been taken from him, with the Value of the Damage he had sustained thereby: But the Legate favouring the King, they were put off, and payment delayed except to the Archbishop of *Canterbury* and such Bishops who went out of *England* to him, who received there 15000 Marks of Silver.

Id. 16.

N. 103. and 104.

It does not appear what was done on this Inquisition, only that Commissioners were again appointed to enquire into the Damages.

** Rot. pat 15.*

Jehan. P. 2.

M. 8. Ders.

Ibid. M. 7.

Dors.

The Barons of the North are reconciled to the King.

[4] Id. 16.

The Pope writes to the Legate to fill up the vacant Bishopricks and Abbeyes.

Id. 16.

The great abuses committed by the Legate.

Several Vacancies not filled up, and why.

I cannot find who these Barons abovementioned were, or what they did in this Arbitration, only Dr. Brady has given us in his Appendix Two several Writs extant upon the Patent Rolls of this Year, directed to certain Commissioners in the Counties of *Dorset* and *Norwich*, in pursuance of the aforesaid Agreement with the Bishops; to make Inquisition in every Diocese, before certain Clerks of the Archbishop, what had been taken from the Bishops, Clerks Ecclesiastical Persons and Laicks, and to return it to the King, as and other appears * upon Record in the Tower; where is also inserted the Names of the Commissioners for each Diocese, tho' the Inquisitions themselves are not to be found; which in all probability were the Inventories or Schedules also above-mentioned.

About this time also (as *Rad. de Coggeshal* relates) the Barons of the North were reconciled to the King, by the mediation of the Legate and the Archbishop of *Canterbury*, with the Bishops and Barons of *England*, on this Condition, that they should still enjoy their antient Liberties; which seems to refer to the Quarrel, that this Author tells us the King had with them not long before, upon the account of their refusing to follow him into *Normandy*.

About this time [4] the Pope Wrote to his Legate *Nicholas* to fill all vacant Abbacies and Bishopricks with fit Persons, and wrote to all Convents and Chapters, Commanding them to comply with his Judgment and Determination; and if there were any Rebels, or such as Contradicted him, that he should compel them to Obedience by Ecclesiastick Censures without any benefit of Appeal.

* The Legate armed with this Power, despised the Archbishop and Bishops of the Kingdom, and went to the vacant Churches with the King's Clerks and Officers, and placed in them unfit Persons; all such as Appealed to the Church of *Rome* he suspended, and suffered them not to have one Penny of what was their own to bear their Charges thither. In many Places he gave the vacant Parochial Churches to his own Clerks, without the consent of the Patrons; such was the effect of the Pope's late usurped Power in this Kingdom. Nevertheless *Walter* of *Coventry*, tho' he agrees with *Matt. Paris* in the rest of this Relation, yet says, that the vacant Bishopricks of *York*, *Durham*, *Litchfield*, and others, were not now filled up, because the King refused to bestow them but according to the antient Custom of the Kingdom, that is, he would still recommend those whom he would have elected; which the Bishops opposing, those Sees yet remained vacant, till it should be agreed at *Rome*, between the Pope and the King's Envoys, how far that antient Custom should be observed.

But

But *England* affording us little more worth noting this Year, we must see what was done in foreign Parts; and here both our own as well as the *French* [5] Historians relate, that *Peter*, King of *Arragon* having taken into his Confederacy and Protection the Counts of *Toulouse*, *Foix*, and *Commenge*, with the Viscount of *Beziers*, and others, whose Territories *Simon*, Count *Montfort*, had not long before Seized for their Protecting the *Albigenses*, who, being then declared Hereticks by the Church of *Rome*, undertook an unfortunate War in their Defence: But *Montfort* having put a strong Garison into a Town called *Muret*, the King of *Arragon* laid Siege to it in the Month of *September*, his Army consisting of near a Hundred thousand Men: *Montfort* being then at *Castle Naudarie*, tho' he could scarce muster up Twelve hundred, yet immediately he cast himself into the Place, from whence he made a furious Sally upon that King; who contemning the smallness of his Numbers, fate himself down to dinner, at the beginning of the Fight. But however before his Troops could be drawn up in any Order to resist the Enemy, they were all cut to pieces, and the King himself then marching out when it was too late, was thrown off his Horse, and killed by the Common Soldiers, that refused to give him Quarter, because they looked upon him as an *Apostate*; the Victors also carried off his *Standard-Royal*, which was sent in Triumph to *Rome*: So that the whole Field being covered with dead Bodies, there was never known a more entire Defeat; the Earl of *Toulouse*, (commonly called by our Writers the Earl of *St. Giles*) fled out of this Battle.

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[5]

Gu. B. Rigord.
Olphonse, K. of
Arragon undertaking the
Protections of
the Counts of
Thoulouze, Foix,
&c. is routed
by Count
Montfort.

And slain, and
his Troops
cut all to
pieces.

[1] Upon which Blow the City of *Thoulouze* offered to Submit to what Conditions the Pope's Legate should please to impose; but matters being gone too far to admit of any Reconciliation, it was resolved to strip that Earl of his Estate, and the Citizens of theirs; so that the poor Prince not knowing whither else to flee for Refuge, was forced to come over into *England*, to his Uncle King *John*, and not long after was deprived of all his Dominions by the Pope's Authority.

[1.]

Id. 14.

The Earl of
Thoulouze loses
his Earldom,
and the Citi-
zens their Li-
berties.

I have been the more particular in the Relation of this Affair, as being the last Effort which the Princes who favoured the *Albigenses* ever made in *France*; from whence being expelled upon the taking this City of *Toulouze*, they fled to the Mountains of *Savoy* and *Pyemont* to those of their own Opinions, who were settled there long before.

[2] King *John* kept his *Christmas* this Year at *Windsor*, where being upon somewhat better Terms with his Nobility than before: He bestowed a great Number of Rich Festival Liveries among them; then after the Octaves of *Epiphany*, the Archbishop of *Canterbury* with his Suffragans met at *Dunstable*, to Treat of the Affairs of the *English* Church; for it much troubled them that the Legate without their Advice, and in favour to the King's Inclinations, should place insufficient Prelates in vacant Churches, rather by Intrusion than Canonical Election: At length, when the matter had been long and deliberately debated, the Archbishop sent Two Clerks to the Legate then at *Burton* upon *Trent*, who, by Appealing to the Pope in the Archbishop's Name, prohibited him to pre-

Anno Dom.
MCCXIV.

[2]

M. P.

The Archbi-
shop and Bp's
meet at Dun-
stable, to con-
sult how to
hinder the
Legate from
filling up the
vacant
Churches, and
agree to Ap-
peal to the
Pope.

Anno Domini sume to institute Prelates in his Province, to whom of Right it
 MCCXIV. belonged to do it. But the Legate not valuing the Appeal, dis-
 The Legate dispatches Pandulph to oppose their Appeal, so that it is not received by the Pope, who approves of what the K. and the Legate had done.
 patches Pandulph (now but a private Person) with the King's assent to the Court of Rome, that so he might defeat the purpose of the Archbishop and Bishops; and when he came there, he did not a little blast the Credit of the Archbishop with the Pope, and so much extolled the King that he affirmed, *he never heard of a more humble and modest Prince*, So that he obtained great favour with the Pope: And tho' Master Simon de Langton the Archbishop's Brother was sent by the Bishops to oppose Pandulph, yet since he now brought over the King's Charters, containing the Subjection and Tribute of the Kingdom of England and Ireland, Simon could not be heard in what he offered against him. The same Pandulph also affirmed, that the Archbishop and Bishops were too Rigid and Covetous in the exacting Restitution of what had been taken away in the time of the *Interdict*; and that they had beyond all Equity depressed the King himself, and the Liberties of the Kingdom; and thus for some time the designs of the Archbishop and Bishops were put off.

[3]
Id. p. 248.
 The K. sends Money to his Commanders in Flanders, who thereupon take several Towns and Castles in those Parts.

[4]
Id. ib.
 The K. and Q. go over to Rochel with a great Army, where many of the Barons of Poitou swear Fealty to him.
 The K. by Letters gives his Justices in England notice of his good successes, and of the taking many Places in those Parts. And that the Earl of Marche and other Noblemen had done Homage, and swore Fealty to him.

Another Letter of the K's to William E. Marechal to the same effect.

[3] In the mean time the King had sent a great Sum of Money to the Chief Commanders of the Forces in Flanders, that thereby they might be enabled to Invade and waite France on that Side; which they did, and took several Towns and Castles, and much harrassed the Country, wasting the Territories of Lewis the French King's Son in those Parts.
 [4] And now the King having sent Envoy's to Rome about taking off the *Interdict*, He with his Queen took Shipping at Portsmouth upon Candlemas-day, and within few Days after arrived with a great Army at Rochel, whither divers Barons of Poitou came, and swore Fealty to him: And presently after his Landing, there were Surrendered to him many Castles then in possession of his Enemies, of which he gave his Justices in England a large account by his Letters, and for them I refer the Reader to our Author; but the Design of them was, to let them know, that the Term of Truce which he had formerly granted to the Earls of Marche and d'Angi being expired, and not finding them disposed to a perfect Peace, he had thereupon Invaded the Territories of Geoffery de Lirenan, (a great Lord of their Party) and taken his Castle of Merevent, and that after that, he had also besieged another Castle of the said Geoffery, called Novent, which having been battered for a while, both the Nobleman himself, and his Sons were forced to surrender it to the King's Mercy; and that being at Parthenay on Trinity-Sunday, there came to him the Earl of Marche and the Count d'Angi with Geoffery de Lirenan, who all did Homage, and swore Fealty to him; upon which he had also agreed to a Marriage between his Daughter Joan and the Son of the Earl of Marche. This Letter bears Date at Parthenay in the Sixteenth Year of his Reign: But his good Success in these Parts was but short, as you will find anon.

In the mean time, I cannot here omit, that whilst the King lay at Rochel, he also wrote another Letter to William Earl-Marechal, wherein he gave him a farther Account of his Success in those Parts, and that presently after his Landing there were surrender'd and quitted

quitted to him Twenty six Castles and Fortresses; and whilst he was besieging *Miltesen-Castle*, there came to him one Friar *William* of *St. Owen*, with the Form of releasing the *Interdict*, which he sent to *Peter* Bishop of *Winton*, his Justiciary of *England*, with Instruction to the said Earl-Marschal, and the rest of the Earls, Barons, and Great Men of *England*, (who had also the like Letters sent them) that they should observe the Directions of the said Justiciary concerning this Affair of the Release of the *Interdict*: This Letter bears date at *Roches* the 8th of *March*, and was formerly only to be found among the Records in the *Tower*, but it is now published by Dr. *Brady* in his * *Appendix*.

[4] About this time, the Pope wrote Letters to Cardinal *Nicholas* his Legate in *England*, concerning the aforesaid Affair, in which he gave him an Account, that the King's Envoys, *John* Bishop of *Northwich*, *Robert de Maris*, Archdeacon of *Northumberland*, and one Mr. *Adam* a Clerk, had agreed with *Simon Langton* and certain other Clerks, Commissioners for the Archbishop of *Canterbury*, and the rest of the Bishops, in the Pope's Presence, that it was very much for the Advantage both of the Ecclesiasticks, and Seculars, that the *Interdict* should be released; and then with all their Consents appoints the Form of it, by which he order'd 40000 Marks to be paid to the Archbishop of *Canterbury*, and the Bishops of *London* and *Ely*, or their Assigns; but yet with a Discount of what they had received before; which being paid, and further Security given (as it was directed in the Form it self) the Legate without any more ado was to release the *Interdict*; yet Caution was given, that the King should bind Himself by his Oath, and Letters Patents, with Six others, both Bishops and Earls, as his *Fide-jussors*, or *Sureties*, for the Payment of 12000 Marks a year, by equal Portions, until the 40000 Marks were fully discharged; These Letters are dated at the *Lateran Palace* at *Rome*.

[5] 'Tis true, that at the time when *Nicholas* the Legate received this Authentick Answer from the Pope, the King was himself beyond Sea, but at his departure from *England* he left him and *William* Earl-Marschal his Commissioners for this Business; Hereupon the Legate assembled a Great Council or Synod at *St. Paul's* in *London*, where the Archbishops, Bishops, Abbots, Priors, Earls, Barons, and others, were all assembled, about this Affair of the *Interdict*; and there he propounded to them the Form of Restitution for Damages, for what had been taken away from the Bishops, &c. which had been drawn up by the Pope at *Rome*, with the Consent of all Parties; also he commanded Certificates of what Money had been paid to the Bishops and others; upon which it appear'd by a stated Account, that the Archbishop and Monks of *Canterbury*, with the Bishops of *London*, *Ely*, *Hereford*, *Bath*, and *Lincoln*, had before their return into *England*, received by the Hands of *Pandolf* the late Legate, 12000 Marks *Sterling*; and in the Council held at *Reading*, on the 7th of *December*, after their return, That the same Bishops and Monks had received 15000 Marks more, to be divided among them; so that there remained in Arrears only 13000 Marks; for the Payment of which, they had the King's Letters Patents, and the Securities of the Bishops of *Winchester* and *Normich*,

Voll.II.

Q q q q 2

[1] 10

Anno. Dom. MCCXIV.

Rot. Clans. 15
Johan. parte
prima. m. i. Dorf.
N. 106.

[4]

M.P. p. 249.

The P. writes
to his Legate,
letting him
know that the
Commission-
ners on both
sides had
all agreed,
That the In-
terdict should
be Released,
and on what
Conditions.

[5]

Id. ib.

The K. at his
departure left
the Legate and
the Earl-Ma-
reschal his
Commission-
ners to act for
him.
The Former
Summons
a Synod at *St. Paul's*, about
releasing the
Interdict; and
the Condi-
tions of it.

Anno Dom. [1] so that after the Stating and Agreeing all these Demands, the
 MCCXIV. Legate on the Feast of St. Peter and Paul, publicly released the
 Sentence of *Interdict*, after it had continued Six Years, Three
 Months and Fourteen Days. For this mighty Benefit *Te Deum* was
 solemnly Sung by the Clergy; and indeed, the whole Nation highly
 rejoyced, that they were now Restored to the Free and Publick
 Exercise of Religious Duties.

The *Interdict* being thus released, there came to the Legate a great
 Multitude of Abbots, Priors, *Knights-Templars*, and *Hospitallers*, Ab-
 besses, and Clerks, all desiring Satisfaction for the Damages and
 Injuries they had received from the King during the *Interdict*; but
 the Legate answered them all alike, that there was no mention
 made of their Damages and Injuries in the Pope's Letters, and there-
 fore he neither could, nor ought to transgress the Bounds of his
 Authority; only he advised them to apply themselves to the Pope,
 and Petition him to do them Justice concerning their Injuries and
 Losses. Upon which answer, this whole Body of Ecclesiastical Suf-
 ferers were forced to return Home hopeless of any other Relief, than
 what might be gain'd by Petitioning the Pope, which never came to
 any thing.

Thus none but the Rich Bishops and some Abbies received any Be-
 nefit by this Agreement, whilst the Poorer Monasteries, and others
 of the Inferior Clergy, received no Satisfaction for all their Losses.

Here Dr. Brady would fain excuse the King, as if nothing had
 been due from him to those Religious Houses, because he had before
 procured their Charters, testifying, That what he had taken from
 them was freely given: But the Doctor himself sufficiently confutes
 this Excuse, when he acknowledges from our Author (tho' under
 the former Year) that the King, by his subtilty, had extorted from
 those Religious Houses certain Charters, wherein they acknowledged
 they had given him *gratis* whatsoever Money he had violently
 wrested from them; and the Doctor must needs know, That as well
 by the Canon as Common Law, *Duress* is always looked upon as a
 Good Plea against any Acts done thereby, especially by Spiritual
 Corporations, who are always esteem'd as in a state of Minority;
 and therefore tho' in the Patent Roll of the 16th of this King, (which
 the Doctor has given us at large in his *Appendix) this Discharge is
 entred in the Form of an Acquittance from all the Abbots and Con-
 vents, by which they acknowledged full Satisfaction, for what the
 King had received of them during the *Interdict*; yet this will not
 do the Business for which it is brought, but rather serves to make
 the Wrong more apparent, since if the King could extort that Mo-
 ney from them, he might likewise by the same Power exact what
 Releases he pleas'd for it: But it is time to look abroad, and see
 what Success the King's Army now met with in Foreign Parts.

[2] About this time the King marched his Army out of *Poitou*
 into *Bretaigne*, and besieged the strong Castle *de la Roche au Moine*,
 upon the River *Loir* between *Nants* and *Angiers*; whereupon Prince
Lewis, the King of France's Eldest Son, came with a great Army to
 Relieve it; but King John sending forth his Scouts to discover their
 Numbers and Strength, they upon their return informed him, that
 they were inferior to him in Both, and perswaded him to give them
 Battel:

Battel: Upon this he commanded his Soldiers to Arm, with a Resolution to March and Fight the Prince; but the Barons of *Poitou* refus'd to follow the King, alledging, They were not then prepar'd for a Battel, which made him afraid of their accustomed Treachery; so that when he was just upon the Point of taking the Castle, he was forced to raise the Siege, and retreat. But *Lewis*, so soon as he heard the King was coming towards him, fearing to Engage, retired likewise; thus both Armies having ignominiously declined an Encounter, shamefully turn'd their Backs upon each other, without ever striking a stroke.

Anno Dom. MCCXIV.
But being ready to fight, he is deserted by the Barons of *Poitou*, which proves the loss of the Expedition.

But the *French* Historians, (especially *Rigord*, and others from him) report this Action very partially on their own side, for they say, That Prince *Lewis* assembled an Army at *Chinon* Castle, and set forward towards King *John*; but so soon as he heard they were within one Day's march of him, he fled, and left his Engines with which he had batter'd the Castle, behind him; and that *Lewis* afterwards took the Castles of *Beaufort* and *Monconter*, wasted many rich Places belonging to the Viscount of *Tours*, and demolished the New Walls of *Angiers*, with which King *John* had encompassed it.

The *Fr. Historians* relate this Action very partially on their side.

But this is more certain, that within less than a Month after, (that is to say) upon the 27th of *July*, the Famous Battel of *Bouvines* was fought between *Tournay* and *Lisse* (in *Artois*). For at this time the Emperor *Otto*, the King of *England*, and Earl of *Flanders*, with the Dukes of *Lovain* and *Brabant*, had made a League against the King of *France*, and invaded his Kingdom, whilst his Son *Lewis* was engaged in *Poitou* and *Bretaigne*, against King *John*; at this Battel, tho' the Emperor had infinitely the Odds in Men, and the Person of the King of *France* was in great Danger, having been thrown off his Horse, and trod under Foot; yet at length his Enemies were all Vanquished, the Emperor *Otto* being put to flight, his Standard, (which was a *Dragon*, under an *Imperial Eagle* all Guilt,) taken, and the Chariot that carried it, broken in pieces. There were also made Prisoners five Earls; Three whereof were *Ferrand* Earl of *Flanders*; *Reginald* Earl of *Boloigne*; and *William Longespe*, Base-Brother to King *John*; besides 25 Noblemen that carried Banners: Earl *Ferrand* was imprison'd in a Tower at *Paris*, and *Reginald* in the strong Castle of *Perone* in *Picardy*, laden with Irons, and Chain'd to a great piece of Timber; but as for the Emperor, he was forced to flee away into his own Territories in *Saxony*, where he lived Privately all the rest of his Days, having been not long before Excommunicated and Deposed by the Pope, who had bestowed the Empire upon *Fretheric* King of *Sicily*, and not long after he was Crown'd King of the *Romans*. This great Victory so advanced the *French* King's Affairs, that neither King *John*, nor any other Prince was able for the future to withstand him.

M. P. Id. ib. p. 251.
The Emp. *Otto* utterly defeated by K. *Philip* at the Battel of *Bouvines*.

[3] But not long after this Victory, by the Procurement of *Ranulf* Earl of *Chester*, and the Mediation of *Robert* the Pope's Legate (saith *Rigord*) and of certain Religious Persons, (as *Matt. Paris* relates) a Truce was concluded between King *Philip* and King *John*, as appears by those Letters Patents, which our Author has put down at large; in which King *Philip* recites, That he had granted a Truce to *John* King of *England*, and his Subjects, from *Thursday* after the Exaltation

[3]
Id. ib.
A Truce is at last concluded between King *Philip* and K. *John* for five years.

Anno Dom. MCCXIV. Exaltation of the Cross in September, to last for Five Years compleat; and in the mean while, all Things and Persons were to remain in the same state as they were in at the time of the Truce made; which Truce being agreed to, King John return'd into England on the 19th of October: And this was the last Expedition that ever he made into Foreign Parts.

[4] About the same time, the Earls and Barons, under the Pretence of a Pilgrimage, but really for quite another Purpose, met at St. Edmunds-Bury, and when they had for a long while consulted privately together, the Charter of King Henry the First was produced, which the Barons had lately received from Stephen Archbishop of Canterbury at London, as was said before; that contained the Laws and Liberties that K. Edward had granted to the Holy English Church, and the Great Men of the Kingdom, with some other Liberties, which King Henry had added himself. From whence we may observe, that the Laws of King Edward, and the Charter of King Henry the First, were then looked upon to be the same in effect, excepting some few Additions; so likewise was that Charter which King John not long after granted, esteemed to be the same in effect, as the above-mentioned Laws and Charter, only expressed more at large.

[5] When these were all met at the Church of the Monastery of St. Edmunds, the Greater Barons began first to Swear at the High Altar, That if the King refused to grant them those Liberties they demanded, they would make War upon him, and withdraw themselves from their Obedience, until he should by a Charter, Sealed with his Seal, reconfirm them; and they likewise unanimously agreed, That after Christmas they would all go to the King in a Body, to demand his Confirmation of the Liberties above-mentioned; and in the mean time they would provide themselves with Horses and Arms, that if perchance the King should start from his own Oath, (as they believed by reason of his Double-dealing he would) they might then compel him to give them Satisfaction, by taking his Castles into their Custody.

The Account the Annals of Waverly give of the Reasons of this great Discontent of the Nobility at this Time.

The Annals of Waverly do also under this Year give us the Occasion of this general Discontent of the English Nobility; affirming, That Peter Bishop of Winchester (being left the King's Justiciary during his absence) endeavouring by degrees to Subject the Great Men of the Kingdom to the King's Will, thro' the abuse of his Power, did but increase their Displeasure against his Master; insomuch that their fury was not at all pacified when that Author wrote, which seems to be about the very time that these things happened; his words being, *Neque est sedatus furor ille usque adhuc.*

Nicholas, the Pope's Legate, is call'd home, upon which the K. becomes milder to the Clergy.

As for Ecclesiastical Affairs, this Year affords little more, but that (according to Walter of Coventry) Nicholas Bishop of Tusculum, the Pope's Legate, was, not long after the King's Return out of Poitou, recalled to Rome, because he was accused for having carried himself with less Honesty and Courage than he ought to have done in behalf of the Church: wherefore, when the King found he was bereft of his Assistance, he became Milder, and shewed more Benignity to the Bishops and Clergy, to whom he made larger Satisfaction for the Injuries he had done them; bestowing on some, Mannors;

Manners; on others, Immunities and Privileges for their Houses; and on those that were more Covetous, ready Money.

I can find nothing more Remarkable to have happened this Year, [1] only in *December* *William* King of *Scots* died in the Forty Ninth year of his Reign, and the Seventy Second of his Life; which I mention, because it has been hitherto so rare among the Kings of that Nation, either to Live, or Reign so long.

He was a Prince of great Valour and personal Worth, and being much lamented by his Subjects, was succeeded by Prince *Alexander* his Son, then a Youth of but Seventeen years of Age.

And now I am come to the 17th Year of King *John's* Reign, [2] when he kept his *Christmas* at *Worcester*, tho' it was but for One Day; and so hastening from thence to *London*, took up his abode in the *New-Temple*, which stood where those Inns-of-Court now called the *Inner* and *Middle-Temples* are since built: Thither the Great Men came to him in very pompous Military Accoutrements, and desired that the Liberties and Laws of King *Edward*, with other Privileges granted to the Kingdom of *England*, and *English* Church, might be confirmed, as they were contained in the Charters of *Henry the First*. Moreover they affirmed, That at the time of his Absolution at *Winchester*, he promised to observe those Laws and Liberties, and likewise bound his said Promise with his Oath: The King hereupon perceiving the Earnestness of the Barons, and their Preparations for War if he denied them, was much startled; but in regard of the greatness and difficulty of the Matter, he desired time to give them a positive Answer until the Close of *Easter*: Many things were now propounded on both sides, but at length the King (though unwillingly) found for his Sureties the Archbishop of *Canterbury*, the Bishop of *Ely* and *William* Earl-Mareschal, that on the Day prefixed he would give them full and reasonable Satisfaction, upon which all the Great Men return'd home.

About the same time also, the King granted a Charter under his Seal, for the Freedom of Elections to Bishopricks, and Abbies, and all other Conventual Churches, to chuse their Bishops, Abbots, &c. without any Letters of Nomination or Recommendation of such Persons as were Faithful to him, &c. and this was contrary to the usage of his Predecessors.

This Privilege was not only confirmed by the first Clause of *Magna Charta*, but also not long after this present Charter, made by the Pope's, which you may find at large in our Author.

So that the antient Prerogative of Nominating to Abbies and Convents, and also to Deans and Chapters, fit Persons to be Elected Bishops, was never after this time fully restored to the Crown till the 25th of *Henry VIII.* when by a Statute made on purpose it was ordain'd, that together with the *Conge d'eslire*, should be also sent down a Letter missive from his Majesty, containing the Name of the Person, whom he would have chosen Archbishop or Bishop; and if they fail'd to make their Election accordingly, then the King by his Letters Patents might Nominate whom he should think fit.

Anno Dom.
MCCXIV.

[1]
C. M.
The Death of
William K. of
Scots, with his
Character.

Anno Dom.
MCCXV.

[2]
M. P.
The K. pre-
sently after
Christmas
comes to *Lon-*
don, where all
the Great Men
of the King-
dom resort to
him, to de-
mand the
Confirmation
of K. *Henry's*
Charter.

The K. being
afraid of the
Barons, desires
some time to
give them an
Answer, and
in the mean
while gives
Security to fa-
tishe them.

M. P. 163.

M. P.

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[3]
Id. ib.
The K. to se-
cure himself,
makes all Men
do Homage,
and swear
Fealty to him,
and then un-
dertakes the
Crusado.

[4]
C. N. T.
Other Noble-
men take the
Cross at the
same time.

[5]
M. P. Ib.
The Nobility
meet again at
Stanford.

[1]
Id. p. 254.
Who were
the chief In-
citors to this
Undertaking.

To which the
A. Bp was the
Principal Ad-
viser.

[2]
Id. ib.
The K. being
at Oxford sends
the A. Bp to
the Barons, to
know their
Demands.

They send the
K. their De-
mands in Wri-
ting.

The K. upon
hearing them
read, falls in-
to a Passion,
and refuses to
grant them.

The Annals of
Waverly give
their Account
of the Original
of the Barons
War.

[3] In the mean while, the King, the better (as he thought) to secure himself for the future, caused the Homages to be renewed throughout *England*, and all Men to be sworn to himself against all others; and further still to provide for his own Safety, upon *Candlemas-Day* he took upon him the *Crusado*, i.e. Vowed an Expedition to the *Holy-Land*, tho' it was thought an Act rather of Fear than Devotion, that so thereby he might be more safe under the Protection of that Badge.

[4] At the same time also, that the King took the *Cross* from the Hands of the Bishop of *London*, the Earls of *Chester* and *Derby*, with other Noblemen did so likewise; But this Undertaking (if ever really intended) came to Nothing, the Civil Wars between the King and the Barons breaking out presently after.

For in [5] *Easter Week*, the Great Men met at *Stanford* with Horse and Arms, and had drawn almost the whole Nobility of *England* into their Party, so that they made up a very great Army; for upon their Muster they were found to be no less than Two Thousand Knights, besides other Horse and Footmen, armed with divers Weapons.

[1] The Chief Inciters to this Undertaking, were, *Robert Fitz-Walter*, *Eustace de Vesci*, *Richard de Percy*, *Robert de Ros*, *Peter de Bruns*, *Nicholas de Stutevil*, *Saber*, Earl of *Winchester*; *Robert*, Earl of *Clare*; *Roger*, Earl *Bigod*; *William de Mumbray*, (alias *Mowbray*) *Roger de Creissy*, *Ranulph Fitz-Robert*, *Robert de Ver*; with other Barons, as well of *Norman* as *English* Extraction, whose Names being many, and needless to be repeated, I refer the Reader curious in such Matters to the Author; and these were all Confederate, tho', under hand, *Stephen* Archbishop of *Canterbury* was their Principal Adviser.

[2] At [2] this time the King was at *Oxford* in expectation of the coming of the Great Men; and on *Monday* after *Easter*, the above-mentioned Barons rendezvoused at *Brackley* in *Northamptonshire*; but so soon as the King heard of it, he sent the Archbishop of *Canterbury*, and *William Marechal*, Earl of *Pembroke*, and some other Wise Men, to know what the Liberties and Laws were, that they so earnestly desired: Upon which the Confederate Earls and Barons delivered to them a Schedule or Writing, which indeed for the most part, contained the Antient Customs of the Kingdom; affirming, That if the King would not forthwith Grant and Confirm them under his Seal, they would compell him, by seizing his Castles and Possessions, until such time as he had given them Satisfaction.

The Commissioners returning to the King with the Schedule, read to him all the Articles therein contain'd; whereupon falling into a great Passion, he asked, *Why the Barons did not, together with these Exactions, demand of him the Kingdom also? They are all foolish things* (said he) *and without colour of Reason*, and swore a great Oath, *That he would never grant such Liberties as would make himself a Slave*.

Thus began this Unhappy War by the Nobility's positively insisting upon, and the King's as obstinately refusing to confirm the Laws of King *Edward*, and the Liberties and Free Customs of other preceeding Kings, as the Writer of the Annals of *Waverly* here very judiciously observes: To which he also says, That those Laws had been very much Corrupted and Infring'd, during this King's Father's

Reign;

Reign; but chiefly in his Own, who had disinherited divers of the Great Men without any Judgment of their Peers, and had Condemned others to cruel Deaths, and violated their Wives and Daughters; so that his Tyrannical Will was instead of a Law.

To which we may add the further Testimony of the Abbot of *Dundrainand*, one of the Writers of the Chronicle of *Mailros*, who lived at that very time, and being a *Scotch-man*, may be supposed to write impartially concerning the Original of this Quarrel, of which under this Year he gives us this Relation.

England (says he,) was now in a strange Confusion, so that 'tis wonderful to Relate it; and who hath ever heard the like? For the Body desired to Rule the Head, the People would Govern their King: yet divers Reasons required it; for he perverted the antient approved Customs and Laws of this Kingdom, and did not Govern his People with Equity; but his Will was to him the only Law: He oppressed his own Subjects, and preferred barbarous Mercenaries before them; He destroyed the Lawful Heirs that were delivered as Pledges to him, and Strangers enjoyed their Inheritances; and then proceeds to give an Account of the beginning and progress of this War, to the same effect with our *English* Historians.

I have been the more particular in this Account, to let the Reader understand, that it was not without cruel Oppressions and great Provocations, and after the King's refusal to observe his own Oath and Engagements, that the greatest part of the Nobility, Clergy, and People of *England* then took up Arms against Him.

Walter of *Coventry* also Relates, that there were several Treaties between the King and the Barons, concerning this great Affair; and that the last was not far from *Brackley*, and agrees with *Matt. Paris*, that [3] When the Archbishop and *William Mareschal* could not bring the King to consent to the Barons demands, they returned to them, and gave them an account of what he had said; the Barons hereupon by their Messengers defied the King, and renounced their Homages lately made him; and [4] then chose the Lord *Robert Fitz-Walter* their General, calling him the *Mareschal of the Army of God, and of Holy Church*; and presently upon this they marched to *Northampton*, and besieged that Castle Fifteen Days, tho' without success for want of Engines to batter it; so that they were forced to raise the Siege, and went to *Bedford* Castle, where they were kindly Received by *William Beauchamp* its owner.

[5] Thither came also to them Messengers from the City of *London*, giving them privately to understand, that if they would possess themselves of that City they must make haste; whereupon they presently marched to *Ware*, and from thence in the Night to *London*, and on the 24th of *May*, early in the Morning, at the time of Mass, without any noise entred the City at *Aldgate* by the favour of some of the rich Citizens, the poorer sort not daring to oppose it. On the other Side, the King all this time acting only on the Defensive part, stored his Castles with Men and Provisions; having also sent Messengers beyond Sea for foreign Assistance.

[1] The Barons having possessed themselves of *London*, after they had placed their own Guards at every Gate, and taken Security of

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MCCXV.

Another large
Account of it
from the Chro-
nicle of Mail-
ros.

[3]

Id. ib.

The A. Bishop
and Earl Mareschal carry
back the K's
refusal, where-
upon the Bp's
chose R. Fitz-
Walter for
their General,
and then by
message defied
the King and
besiege the
Castle of
Northampton,
but cannot
take it.

[4]

M. P. p. 254.

[5]

Id. ib.

The Citizens
of London in-
vite the Ba-
rons thither,
who immedi-
ately march up
and seize the
City.

[1]

Id. ib.

The Confede-
rate Barons be-
ing now Ma-
sters of the
City, threaten
those of the
King's party,
that if they
did not desert
him, they
would treat
them as Ene-
mies.

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the Citizens, disposed of all things therein as they pleased; and having now got ready their Engines of Battery, they began to besiege the Tower; and then sent their Letters to the Earls, Barons, and Knights that really, or seemingly adhered to the King, threatening them, that if they would not desert that *perjured King*, and faithfully close with them in asserting their Liberties, they would proceed against them as publick Enemies, beat down their Castles, burn their Houses, and destroy their Warrens, Parks, and Orchards.

[3]
ib. p. 255.
The Names of
the Earls and
Barons who
had not Con-
federated.

upon which
message most
of them leave
the K. and
join with the
Barons.
The Pleas of
the Exchequer
and those of
Sheriffs now
cease.

Some rise in
the West, and
take Exeter,
but cannot
keep it; whilst
those at Lon-
don destroy the
K's Houses
and Parks.

[2]
Id. p. 255.
The K. coun-
terfeit Letters
under the
Seals of the
B's. setting
forth that the
English were
now become
Apostates,
and the King
would be-
stow their Es-
tates on those
that would as-
sist him.

[4]
Id. ib.
The K. seeing
himself de-
serted, is
forced to a-
gree to the Ba-
rons demands.

[2] The Earls and Barons who had not yet sworn to maintain the Liberties before mentioned, were *William Marejheal* Earl of *Pembroke*, *Ranulph* Earl of *Chester*, *William* Earl of *Salisbury*, *William* Earl of *Warren*, *William* Earl of *Albemarle*, *H.* Earl of *Cornwall*, *William de Albiney*, *Robert de Vipont*, *Peter Fitz-Hubert*, *Brien de Lisle*, *G. de Lucy*, *G. de Furnival*, *Thomas Basset*, *H. de Braibroke*, *John de Bassingborn*, *William de Cantilupe*, *Henry de Cornhulste*, *John Fitz-Hugh*, *Hugh de Ne-vile*, *Philip de Albiney*, *John Marschal*, *William Brewere*, most of whom upon the Command of the Barons left the King, went to *London*, and Confederated with them: Here the Manuscript Copy of *Roger of Wendover* (in the *Cottonian Library*) further adds, that now the Pleas of the *Exchequer* and those of Sheriffs Ceased through-
out *England*, because there was scarce any Body to be found, who would pay the King his Revenues, or Obey him in any thing; from whence we may observe, how general this Defection was, not on-
ly of the Nobility, but amongst the Common People too. *Walter of Coventry* also relates, that whilst these things were Transacting in the *Southern Parts*, many Men being animated by the same Spirit, rose in *Devon-shire*, and took and plundered the City of *Exeter*; but it seems not being able to keep the Field, they afterwards hid themselves in the Woods; but those who had possessed themselves of *London*, being more Powerful, sallied out in Troops, and spoiled the King's Houses, and Parks, killing those that offered to re-
sist them: Whilst, in the mean time those of the *Northern Parts*, drawing a great many either by fair means or foul into their Party, made an indifferent Army, and therewith took *Lincoln* in *Whitsun-Week*, and besieged the Castle, but to little purpose.

[3] About this time the King, resolving to conceal his secret hatred against the Barons, under a fair and plausible appearance, caused the Seals of divers Bishops to be Counterfeited, and Letters to be written in their Names to all foreign Nations, that the *English* were now become Apostates, and ought to be detested by all the World; for which reason the King, by the Consent and Au-
thority of the Pope, was resolved to bestow their Lands and Pos-
sessions on any that would assist him to punish their Infidelity and Rebellion. But when Foreigners had read these counterfeit Letters, they would give no Credit to them, because they were well satis-
fied, that the *English* were very good Christians.

This passage, tho' it may seem improbable, yet I find it in *Matt. Paris's Additions* to *Roger of Wendover's Chronicle*, and it is not likely he would have inserted it, had he not had some very good ground for it.

[4] And now the King seeing himself thus forsaken, and that he had scarce Seven Knights left him, and fearing lest the Barons should

should seize his Castles, when they found none able to resist them; yet having conceived in his heart an implacable Hatred against them, he so far dissembled as to make Peace with them for a time, in hopes that when he should become stronger, He might be more severely Revenged upon them separately, with whom whilst in a Body he found he was not able to Cope.

[5] Therefore sending to them *William* Earl of *Pembroke* with other trusty Messengers, and making use of the Archbishop's mediation, in whom they much Confided, he let them know, he would grant them the Laws and Liberties they desired, and sent to them also to appoint a Day and Place for a meeting to put a final Conclusion to this Affair. These Messengers coming up to *London*, faithfully related to the Barons what the King had (tho' deceitfully) charged them with, who being Transported with Joy, appointed a Meeting or Conference in a Meadow between *Staines* and *Windsor* called *Rannemede*; which, as *Matt. Westminster* observes, signifies the Mead of Council, because from antient Times Treaties concerning the Peace of the Kingdom had been often held there. So upon the 15th of *June*, at that Place the King and all the great Men of the Kingdom met, and both Parties (as *Rad. de Coggeshal* relates) pitching their Tents asunder in the said Meadow, began to Treat concerning a Peace, and the Liberties above mentioned.

There appeared on the King's Part the Archbishops of *Canterbury* and *Dublin*, with the Bishops of *London*, *Winchester*, *Lincoln*, *Bath*, *Worcester*, *Coventry* and *Rochester*, and Master *Pandulph* the Pope's Legate, and *Almeric* Master of the *Knights-Templars* in *England*; and of the Laiety, *William* Mareschal Earl of *Pembroke*, the Earls of *Salisbury*, *Warren* and *Arundel*; with these Barons, *Alan de Galway*, *William Fitz-Gerald*, *Peter* and *Matthew Fitz-Herbert*, *Thomas* and *Alan Basset*, *Hugh de Neville*, *Hubert de Burc*, Seneschal of *Poitou*, *Robert de Roppeley*, *John Mareschal*, and *Philip de Albiney*. But as for those that appeared on the Baron's Side, they were not to be numbered, since the whole Nobility of *England*, being Collected into one Body, were not easie to be reduced under any certain Account.

At length when they had variously Treated concerning the Articles, the King without any seeming difficulty granted them the Laws and Liberties in [1] two Charters, because being so many, they could not be contained in one Schedule; the First of them is called *Charta Communium Libertatum*, or *Magna Charta*, the Charter of Liberties, or the Great Charter; the Second is called the Charter of the Liberties and Customs of the Forests; both which being very long, you may find at the End of this King's Reign, since they properly belong to the Laws he made.

[2] Here also follow in our Author the Names of the Five and twenty Barons, who were chosen by the rest to see the said Charters faithfully observed: They were the Earls of *Clare*, *Albemarle*, *Gloucester*, and *Winchester*, with divers other Earls and Barons, most of whom, being already named, I Omit. These Five and twenty Barons took their Oaths by the King's consent, that they would in every particular observe these Charters, and would compel the King (if he should repent of it) to keep them: Then follow the Names of the rest of the Earls and Barons, who swore to obey the

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[5]

Id. 16.
The K. sends
Commissioners to Treat
with the Barons.

A meeting is
appointed between the K.
and them at
Rannemede.

where they
meet, and
Treat of
Peace, with
the Names of
the Commission-
ers on ei-
ther Side.

[1]

Id. p. 256, 257
where he a-
grees to grant
the Great
Charters of
Liberties and
Forests.

[2]

Id. 16 p. 262.
The Names
of the 25 Ba-
rons who were
appointed by
the rest to see
these Charters
observed, and
the large
Power they
had.

Anno Dom. MCCXV. Commands of the Twenty five above-mentioned, whose Names being numerous and of little moment to us at this Day, I refer the Reader, if Inquisitive in the History of Families, to our Author, for further satisfaction.

The strange Division of Families at this time, and how it came to be so.

For as *Walter of Coventry* here very well observes, many great Families became now divided in Interests, the Fathers and Elder sort adhering to the King, whilst their Sons and Nephews took part with the Barons, and others, either out of Respect to their Relations, or else in hopes of Advantage, often changed Sides: But *Alexander* King of *Scots* out of Emulation to King *John* and *Llewellyn* Prince of *Wales*, hoping to make his Advantage of these Disturbances, favoured the Barons, and when there was occasion, they both openly assisted them, as you will find hereafter. But this is only by the bye.

We shall now say somewhat more of the Priviledges granted to the Clergy as well as Laity by this Charter, above-mentioned; but I refer the Reader to *Dr. Brady's English Translation* of it, which is inserted at the End of this King's Reign.

[1]

M. P. p. 262
The K. sends his Writs to all Sheriffs, Commanding them to make all Men swear to observe the great Charter.

Many Noble men come to the K. and require Restitution of their Lands and Castles, whom the K. puts off for the present with a dillatory Answer.

[5] Then about the same time, viz. *June* the 16th, King *John* sent his Writs under the great Seal into all Parts of *England*, firmly enjoining all Sheriffs throughout the Kingdom to make all Men within their Bailiwicks of whatsoever Condition, to Swear, that they would observe the Laws and Liberties contained in the above-mentioned Charter, and that they would to the utmost compel the King to the performance of all things therein Contained, by the taking of his Castles, if he should do to the contrary. This done, many Noblemen of the Kingdom came to the King, requiring Restitution to divers Lands, Possessions, and Custodies of Castles, which they said belonged to them by Hereditary Right; but the King deferred giving them a just Answer to these their Demands, until it could be proved by the Oaths of lawful Men, what rightly belonged to each of them; and for the better performance of this, he appointed them a Day being the 16th of *July*, to appear at *Westminster*; nevertheless he restored to the Archbishop, the Castle of *Rockester*, with some other things, which of antient Right belonged to his See; and so the assembly breaking up, the Barons Returned joyfully to the City of *London*.

Dr. Brady omits the former Writs to the Sheriffs, and gives us another of less moment, tho' upon Record, and the substance thereof.

Dr. Brady has for some Reasons best known to himself, thought fit to omit making any mention of these Letters-Patents, tho' they are set down by *Matt. Paris*, and instead of them he has only given us the Substance of a Writ dated at *Runne-Mead* the 19th of *June*, whereby the King Signified to all Sheriffs, Foresters, Warreners, Keepers of Rivers, and his other Bailiffs, or Officers, that there was a firm Peace made between him, the Barons and Freemen of his Kingdom, as appeared by his Charter which he Commanded publickly to be read in their Bailiwicks, willing and streightly Charging each Sheriff, that he should cause all of his Bailiwick according to the Form of the Charter to Swear to the Five and twenty Barons, or their Attorneys constituted by their Letters-Patents, at such Day and Place as they should appoint; and also willed and Commanded, that Twelve Knights should be chosen in every County, at the next County (*i. e.* County-Court) which

which should be holden after the receipt of these Letters, to en-
quire into the evil Customs or Practices of Sheriffs and their Mini-
sters, as also of Foresters, Warreners, and Keepers of Rivers or
River-banks, and Toll-gatherers towards the Repairs of Bridges
and Banks, and to extirpate such evil Customs or Exactions. This
Writ is on * Record in the Tower, and is Printed at Large in * Dr.
Brady's Appendix.

And there he has given us another Writ of this King's (likewise
on Record) bearing date the 27th of the same Month from *Winchester*
directed to the Sheriff of *Warwick-Shire*, and the Twelve Knights
elected in the same County, to take away the evil Customs of
Sheriffs and their Officers, and of Foresters, with all other Officers
in the former Writ mentioned; streightly Commanding them, that
without any delay, they should seize the Lands, Tenements and Chat-
tles of all those in the County of *Warwick*, who refused to swear
to the Twenty five Barons, or their Attorneys, and to detain
them until they did thus Swear, since it was so provided by the
Archbishop of *Canterbury*, and Barons of his Kingdom.

Yet notwithstanding all these fair Concessions, the Barons would not
trust to Wax and Parchment alone, but also made the King engage,
and put into their Possession the City and Tower of *London*, and
Covenant with *Robert Fitz-Walter*, Marechal of the Army of God,
and of *Holy Church in England*; *Richard Earl of Clare*, *Geoffrey Earl*
of *Essex* and *Gloucester*, *Roger Bigod Earl of Norfolk and Suffolk*, *Sa-*
ber Earl of Winchester, *Robert Earl of Oxford*, *H. Earl of Hereford*,
and the Barons following; *William Marechal the Younger*, *Eustace*
de Vescie, *William de Mowbray*, *John Fitz-Robert*, *Roger de Monte Be-*
gon, *William de Larvalay*, with other Earls, Barons and Free-Men of
the whole Kingdom, that they should hold the City of *London*
of the Livery of the King, until the 15th of *August* that Year; saving
to him his Farms, Rents and clear Debts, and that the Archbishop
of *Canterbury* should hold the Tower in like manner, for the same
Term; saving to the Citizens their Liberties and Free Customs, and
saving to every one his Right in the Guard of the Tower of
London, and so as the King should not put any Ammunition or
new Forces into the City or Tower in the mean time; and fur-
ther, that within the said Term, Oaths should be given through all
England to the 25 Barons, or their Attorneys, according to the
said Writs for choosing Twelve Knights in every County, &c.
and also that all things which the Earls, Barons, and other Free-
Men did require of the King, which he owned proper to be Re-
stored, or which ought by the Judgment of the Twenty five Barons
or greater part of them, according to the Form of the said Char-
ter, should be Restored accordingly; so that if these things were
performed without any molestation or hindrance on the King's
Part, within the said Term, then the City and Tower of *London*
should be Re-delivered to him; but if they were not done, or that
the King obstructed the doing of them, then the Barons should hold
the City, and the Archbishop the Tower, until the Covenants
were performed; and in the mean time all on both Parts, to repos-
sess their Lands, Castles, and Towns, which they had in the beginning
of the War, between the King and Barons.

This

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Rat. Pat. 17.

Johan. M. 23.

Dors.

No. 118.

Appendix No.

119.

Rat. Pat. 7.

Johan. M. 21.

Another Writ

to the Sheriffs

of Counties,

Commanding

them to seize

the Lands and

Goods of all

those that shall

refuse to swear

to the said

Charters.

The Barons

will not trust

to the Char-

ters alone, but

make the K.

engage to

leave the City

and Tower of

London in their

Hands, as a

Caution for

his true ob-

servance of

them, with

the substance

of this Char-

ter.

Anno Dom. This is the Substance of another very remarkable Covenant or
 MCCXV. Agreement, between the King and the Barons above-mentioned,
 which was only to be found upon Record in the Tower, but now is
 Printed in Dr. B. * Appendix.

Rot. Clau. 17
Johan. M. 21.
Dorj. No. 120.

[4] These things being thus dispatched, and seemingly approved
 of by both Parties, all Men rejoiced, hoping that God had touch-
 ed the King's heart, and that England should now be delivered
 from that Egyptian Servitude under which it had so long groan'd,
 and the People be in a much better Condition, being under
 the Protection of the Roman Church; but it fell out quite other-
 wise than was expected, for those wicked * Mercenary Soldiers who
 always rather desired War than Peace, were by their Leaders conti-
 nually whispering in the King's Ears, that he was now no longer a
 King, but the scorn of other Princes, and that 'twere better not
 to be a King at all, than such a one; thereby adding fresh fuel
 to the Flame; wherefore the King inclining too much to the false
 surmises of these sort of Men, quite alienated his affection from
 his own natural Subjects, and confided wholly in them; so that
 immediately after this Agreement, He grew very reserved and me-
 lancholy, walking alone, and giving divers Signs of inward Rage and
 Discontent.

Rupertus i. c.
Brabant and
other Flemish
Horsemen.

But the King
 being per-
 swaded by his
 mercenary
 Officers, re-
 solves to take
 other mea-
 sures.

[5] Therefore resolving again to recover his lost Power, he wrote
 Letters to William Le Marc, a Poictouin (then Constable of the
 Castle of Nottingham) as also to all other Foreigners, (on whom
 he chiefly relied) that they should new Victual and Fortifie all
 the Castles and strong Places in their Possession, but yet so
 privately, that the Barons might not take Notice of it: But since
 there is scarce any thing, which at one time or other does not
 come to light, the Barons having heard an Inkling of it, sent
 some of the Wisest of their Number to sound the King's mind
 concerning this matter; and if they found it as they had been in-
 formed, to labour by wholesome Advice to divert him from such
 precipitate and ruinous Designs: But the King cunningly palliating
 his secret Intentions, Swore by the Feet of God, (his usual Oath)
 that he thought no Evil against them. Nevertheless, tho' this
 pacified them a little for the present, yet he could not so closely
 conceal it, but that they perceived his Heart was averse to them;
 from whence they easily presaged what was like to happen from a
 King, who, wanting Sincerity, had Subjected himself to the Roman
 See, only that he might have the surer means to make them Slaves;
 and so taking their leaves of him, they Returned Home.

[1]
Id. ib.
 The K. retires
 to the Isle of
 Wight.

And from
 thence sends
 Pandulf to the
 Pope, to make
 void all that
 the Barons
 had done.

[1] After which, the King being left alone but with a very few
 Attendance of his own Family, he spent that Night at Windsor,
 and the Day following took his Journey towards the Isle of Wight.
 For it is certain he did not stay long at Windsor, in regard we find
 the above-mentioned Writ to the Sheriff of Warwick-Shire, to bear
 Date the 27th of June at Winchester, tho' he had not as yet pull'd
 off the Mask: But so soon as he arrived in the Isle, being un-
 mindful of the Oath he had so lately Sworn to the Barons, he
 was resolved both by the Temporal as well as Spiritual Sword, to
 free himself from these Obligations; and that he might begin with
 the former, he sent Pandulph with others to the Pope, that he
 might

might by his *Apostolick* Authority, make void what the Barons had done, and frustrate all their Designs; he also sent *Walter* Bishop of *Worcester*, Chancellor of *England*, *John* Bishop of *Norwich*, *Richard de Marisco* or *Maris*, *William Gernon*, and *Hugh de Boves* to all the Neighbouring Nations, with Letters under his Seal, to procure Foreign Assistance, promising such as would Arm themselves for him large Possessions and store of Money; and if it were needful, they might make Deeds of Gift to such as were willing to come, for their greater Security, of their military Stipends, appointing them to meet him at *Dover* on *Michaelmas-Day*, with as many as they could bring over; he sent likewise to all his Castellans or Governors of his Castles, to Fortifie, Man, and Victual them, as if they were immediately besieged; and then endeavoured to gain over the Seamen of the Cinque Ports to his Party.

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He sends also the Bishops of *Worcester* and *Norwich* to procure foreign Assistance.

[2] Thus the King continued privately in the Island, sometimes plying about the Sea-Coasts, & conversing only with Sea-Men for near Three Months, without any Court or Regal State: In the mean while it was no wonder if his Subjects talked variously of this Retirement, and of the Reasons of it; and indeed he only waited for the Return of his Messengers from the *Roman* Court, and for the Arrival of those Mercenary Soldiers he had sent for from Foreign Parts.

[2]
Id. Ib.
The K. spends three Months in the Isle of *Wight*, expecting foreign Forces.

But to give an impartial Account of the Causes of this unhappy Civil War, *Walter* of *Coventry* does not (as *Matt. Paris*) lay the whole fault of its breaking out afresh at the King's Door, but says, that certain of the Northern Barons were much in fault; for they departing from this Assembly, under pretence that they had never given their Consents, sought ways and means how to break the Peace so lately made, and therefore still exercised Plunderings, and other Hostilities; nor yet indeed did the King ever Confide in the Barons, or had they free Access to him; wherefore some of them retired to *London*, whilst others fell on Fortifying those Castles which the King had lately delivered to them, or else, which they had in their Possession before; and there were some who built new ones.

Walter of *Coventry* does not lay the whole fault at the K's door, but blames several of the Northern Barons.

And though the King had sent Commissioners to Swear Men to the Observation of the late Charters, yet when he sent his Officers, or Sheriffs to look after the Business of his Exchequer, in whatever Parts those unquiet Barons prevailed, those Officers were seized on, and abused; which, when the King heard, and suspecting that this Oath for the Observation of the Charters was intended against himself, there being a Clause expressly Inserted, that he might be compelled by Force to observe them; he thereupon sent Envoys to Foreign Nations (as *Matt. Paris* has already related) and in particular, *Richard de Marisco* to the Pope, because the General Council was now at hand, and for that he believed the Barons had conspired his Destruction.

Also he endeavoured by large Promises to bring over the King of *France* to his Party, but all in vain; for the Barons had been there before hand, and prevented him, and besides there had been from the beginning of the King's Reign too great Quarrels and Animosities between them to be easily reconciled; tho' they seemed for the present skinn'd over by a Truce.

In

Anno Dom.
MCCXV.

[3]
Id. ib.
The Barons
resolve to keep
the City of
London.
And put off
their Justs for
some longer
time.

[3] In the mean time the Barons that were in *London* thinking the danger over, appointed to meet at a Torneament or Tryal of Feats at Arms at *Stanford*: Whereupon *Robert Fitz-Walter* and other Great Men wrote to *William de Albiney*, what great conveniency it was for them all to keep in the City of *London*, which was their Receptacle, and what Disgrace and Damage it would be to them, if by their negligence it should be lost; and therefore by Common Advice they deferred the Justs which were to be at *Stanford* on the *Monday* after the Feast of *St. Peter* and *St. Paul* until *Monday* after the Octaves of that Feast: And that they should be holden upon the Heath between *Staines* and *Hounslow*; and this they did for the Security of themselves and the City. And therefore they sent to, and required them diligently, that they should come so well provided with Horse and Arms to the Tilting, as they might receive Honour, and he that behaved himself best, should have a Bear which a certain Lady should send thither, which it seems was the Prize, (tho' a very homely one) they were then to contend for; thus they pleased themselves with these idle sports, being ignorant of the Snares that were preparing for them.

[4]
Id. ib.
The K's En-
voys com-
plain to the
Pope of the
Affronts and
Injuries of the
Barons.

[4] About the same time the King's Envoys came unto the Pope, complaining of the Barons, what Affronts and Injuries their Master had received at their Hands, and what Rebellions they had raised against him, exacting from him such wicked Laws and Liberties, as were not fit for his Royal Dignity to grant; and that after the Discord between them, when the King and Barons often met to Treat of Peace, he publicly protested before them, that the Kingdom of *England*, in respect of Dominion, belonged to the *Roman Church*, and that without the Pope's consent he could Ordain nothing New, or Change any thing in his Kingdom to his Prejudice; and therefore he had by Appealing, put Himself and all the Rights of his Kingdom, under the Protection of the *Apostolick See*; yet that the Barons, taking no notice of this Appeal, had seized the City of *London*, being treacherously delivered, to them, and had Armed themselves, and exacted the aforesaid Liberties by Force; and that the King fearing their Strength, durst not deny what they demanded of him. Then they delivered the Articles of the Charter in Writing to the Pope, which when he had diligently perused, he knit his Brows, and said, *what! do the Barons of England endeavour to Dethrone a King, who hath taken upon him the Holy Cross, and is under the Protection of the Apostolick See? and would they force him to transfer the Dominion of the Roman Church to Others?* By *St. Peter* this Injury we cannot pass by unpunished: [5] Then deliberating with the Cardinals, he damned and Calfated for ever, by a definitive Sentence, the Charter of Liberties so often mentioned; and sent the King a Bull containing that Sentence, which you may also find at large in our Author.

At the hear-
ing of which,
the Pope is
highly dis-
pleased.

[5]
Id. p. 266.

But before we speak farther of this matter, 'tis necessary to take notice of some precedent Records which this Bull refers to; and are not to be found in any of our Historians; for *Dr. Brady* whilst he was keeper of the Records in the *Tower*, there found out some Letters and Declarations relating to the present Affair, which because they serve very much to prove the Truth of the matters of Fact recited

in the said Bull, I shall make bold to Transcribe the Substance of, *Anno Dom.*
as they stand in the Dr's History, tho' they are Printed at large *MCCXV:*
in the *Appendix*.

You are therefore to understand, that so soon as the Barons had
appeared in a Warlike posture before the King at *Christmass*, (as
hath been already related) and made their Demands of their Liber- *The K. writes*
ties, he gave the Pope notice of it, who upon the Nineteenth *to the Pope,*
of *March* following * wrote two several Letters to the Archbishop *giving him*
and his Suffragans, (the Bishops of his Province) and to all the *notice of the*
Barons, that they had raised new Questions and Controversies a- *Barons de-*
gainst the King, such as were not heard of in the time of his *mands.*
Father, or Brother, that they should not enter into Conspiracies ** Pat. 16 Jo.*
against him, but humbly and dutifully apply themselves to him; *han. parte pri-*
and perform their due and accustomed Services, as they had been *ma. M. 1. Dors.*
performed to him and his Ancestors, upon which he would en- *n. 3. Vid. Dr.*
join him for the Remission of his Sins, to deal more mildly with *B. Appendix,*
his Nobles, and admit their just Petitions. *N. 122.*

On the Tenth of *May* following, the King published a * De- ** Pat. 16 Jo.*
claration, that he would not take the Barons or their Men, (that *han. parte pri-*
is, their Tenants) nor Disseise them, nor pass upon them *ma. M. 3. Dors.*
by force of Arms, but by the Law of the Land, and Judg- *n. 2. Append.*
ment of their Peers in his Court, till things should be determi- *N. 124.*
ned by Four Persons to be chosen on his Part, and Four by the *The K's De-*
Barons, and the Pope to be Umpire between them; and for the *claration con-*
performance of this, he offered as Security the Bishops of *cerning them*
London, Worcester, Chester, and Rochester, with *William* Earl of *Warren* *and their Te-*
and their Tenants.

On the Twenty ninth of *May*, King *John* * wrote to the Pope, ** Claus. 17 Jo.*
that the Archbishop of *Canterbury* and his Suffragans had neglect- *han. M. 24.*
ed his Commands, and that the Great Men and Barons altogether *Dors. vid*
refused to hear what he had wrote; and that in answer to what *Pruss. 2. Vol.*
the Barons had urged, he replied to them, that *England* was the Pa- *of Papal U-*
trimony of *St. Peter*, and that he held it as such of the Pope, *surpations,*
and the Church of *Rome*: That he had taken upon him the *Crusado*, *p. 342. 344.*
and required the Privilege of such who had Engaged themselves *345. et Dr. B's.*
in that Expedition: Then after having recounted the ill effects of *Ap. N. 125.*
his former Offers to the Barons and Bishops from whom he could *The K's Let-*
obtain no Remedy, he refers himself to the Pope's Discretion to *ter to the*
Relieve him. *Pope, com-*
plaining a-
gainst the A.
Sp. and B's.
as also of the
Barons deal-
ing with him
upon which
Letter the
Pope issues
out his Bull,
to annul the
Charter of
Liberries.

Upon Consideration of these Offers and Declarations, & which the
Pope briefly recites in his above-mentioned Bull: He, by the Com-
mon Consent of the Cardinals, damned the late Charter of Liber-
ties, and all Obligations, and Cautions which the King had given,
and entred into for the performance of it, and declared them Null
and Void, as you have already heard.

[1] By Letters bearing the same Date with this Bull, the Pope
wrote to the the Barons that they had not well considered their
Oath of Fidelity, when they thus rashly persecuted their Lord the
King: That all Men detested their Proceedings, especially in such
a Cause, where they made themselves both Parties and Judges;
when the King was ready to do them Justice by their Peers in his
Court, according to the Laws and Customs of the Kingdom, or
to proceed by Arbitrators chosen on both Sides, with a Reference

Anno Dom. MCCXV. to himself, if they could not agree: And therefore Commands them to renounce that unlawful and unjust Composition they had extorted from him by Fear and Force, and satisfy him, and such as adhered to him, for the Injuries they had done them, That by this means the King might be induced to grant whatsoever of Right ought to be granted to them; and further advised them to send their Procurators or Deputies to the next General Council, which he intended suddenly to call about the Business of the *Crusado*; (where would be present the Archbishop, and other *English Bishops*;) and there commit themselves to his good Pleasure; for by the Grace of God he intended so to determine things, as to take away all Oppressions and Abuses in the Kingdom, that so the King being content with his own Right, and Honour, the whole Clergy and Laity might enjoy their just Repose and Liberty.

[2]

Id. ib.

The Barons will not desert from what they had undertaken, notwithstanding the Pope's Letters, but send for *William de Albini*.

[2] But it seems the Pope's Letters had no effect with the Barons; for they pursued what they had undertaken, and sent for *William de Albini*, an Experienced Soldier, to their Assistance. 'Tis true, they sent to him several times before he came; but at last, upon a chiding Letter, he having first secured the Castle of *Belvoir*, or *Bea-voir*, (as we now call it) came to *London*, where he was received with great joy by the Barons; and their first Consultation with him was, which way to Secure the City of *London* from being Besieged; Upon which they resolved to fortify all the Avenues leading to it, and then raising a more considerable Force, they and divers of their own number, together with *William de Albini* went into *Rocheſter* Castle, of which he was then made Governor, under the Archbishop of *Canterbury*. And it is to this Time, (whilst the Barons carried all before them, and that the King lay still without Action, expecting the arrival of the Foreign Forces, he had sent for,) that we may refer what *Walter* of *Coventry* farther relates concerning this Affair, *viz.* That the Archbishop and Bishops beheld with Grief the great Havock that the Barons had made of the King's Houses, Parks and Forests, especially in the *Northern* Parts, (tho' as yet they spared the Country, because of the approaching Harvest) wherefore the said Bishops began again to admonish sometimes the Barons, and sometimes the King, to maintain the Peace; which since both of them pretended (at least in words) earnestly to desire, it was at last agreed, That a Treaty should be held at *Oxford*, the day after our *Lady's* Assumption, where the King appointed to meet the Bishops as Mediators; the Barons met at *Brackley*, and from thence went to *Oxford* with a great Appearance; but the King did not come according to his promise, but sent certain Messengers to excuse himself, who said, That he had resigned up all things to them, so that he had scarce any Refuge left him; and that since the late Peace, he had received great Injuries from them without any Satisfaction, and they now appeared in such mighty Numbers, that it was not thought safe for him to come to them thither.

[3]

Id. ib.

The King's Messengers produce the Pope's *Breve*, threatening all those with *Excommunication* who should resist the King: But the Sentence is deferred for a Time.

[3] Then the Messengers produced the Pope's *Breve*, Threatning all those with *Excommunication* who should dare to resist the King; so the Treaty being protracted for the space of Three days, at last it was agreed between the Bishops and the Barons, That the Sentence

tence of *Excommunication* should be put off for some time; and in the mean while, the Bishops should wait upon the King to see if they could prevail with him to Treat with the Barons at *London*, or else at *Staines* near *Windfor*. Thus they parted, the Barons returning to *London*, and the Bishops setting forward in order to attend the King at *Portsmouth*, who being then just going to put to Sea, came again a-shore to meet them; But all they could obtain of him was, that he would send some of his Servants in the Company, and under the safe Conduct of the Bishops, who should in a publick Assembly of the Barons make Protestation, that it was not his fault, if the Peace lately concluded was not observed.

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The Bps again attend the K. but can obtain no positive Answer from him.

[4] Wherefore about *Bartholomew-Tide*, the Bishops and Barons meeting the King's Commissioners at the Town of *Staines*, after some deliberation, most of the Bishops seeing the Danger that hung over their Heads from the Pope's Bull, publish'd the Sentence of *Excommunication* against all those who should presume to disturb the Peace of the King and Kingdom; yet this had little or no effect, most of the Barons turning this Sentence upon the King's own Head, who (as they affirm'd) was the chief Disturber of it, and did by his own actions go about to expell himself: Wherefore the Barons return'd to *London* with great Pomp, and presently dispersed themselves into several Parts of the Kingdom; the Government of *Essex* being committed to *Geoffry de Mandeville*; That of *Northampton*, to *Robert Fitz-Walter*; whilst *Roger de Cressy* undertook the Custody of *Norfolk* and *Suffolk*; as *Saer de Quincy* did that of *Cambridge* and *Huntingtonshires*; *William de Albiney* that of *Lincolnshire*; and *Robert de Ros* the Government of *Northumberland*; so that every one was to act as a Justiciary over the *Province or County assign'd him, and to provide for the Peace of the Inhabitants.

[4] Id. 16 p. 269. The K's Commissioners meet the Bps at *Staines*, where most of them agree to publish the said Sentence of *Excommunication*, but it had no effect upon the Barons.

The Barons return to *London*, where they appoint Governors over several Counties. * *Provincia*.

[5] But before the Barons had sufficiently provided for their Defence, I mean, so well as they intended, the King after about three Months stay in the Isle of *Wight*, sailed from thence to *Dover*, where he met his Messengers whom he had sent to fetch fresh Forces from *Poitou*, *Gascony*, *Brabant*, and *Flanders*; and these being now arrived, he presently marched to besiege the Castle of *Rocheſter*.

[5] M.P. p. 268. W. C. The K. leaves the Isle of *Wight*, and comes to *Dover*; from whence (his Foreign Forces being now arrived) he marches to besiege *Rocheſter-Castle*.

[1] The Barons had before sworn to *William de Albiney*, That whenever the Castle should happen to be Besieged, they would use their utmost Endeavours to relieve it; so they marched as far as *Dartford*, but then finding themselves too weak, they retreated to *London*, because (as *Walter of Coventry* relates) the King had seized upon all the Avenues, and caused all the Bridges to be broken down that led thither; notwithstanding which, the Garison defended themselves with great Courage and Resolution; but the King making use of his Engines of Battery, and they within not having Weapons sufficient to withstand them, at last, after near Three Months siege, were forced to yield at discretion; because not only great part of the Walls were beaten down, but likewise because they were in mighty want of Victuals.

[1] Id. p. 269.

[2] Id. p. 270. The K. being incensed at the obstinate Defence made by the Barons, would have hanged all that had been taken in it, but is hinder'd by *Savery de Mal-leon*, on, &c.

[2] This Siege was very Troublesome and Expensive to the King, and many of his best Men were slain in it, for which Reasons he would have Hanged all the Noblemen or Knights, that were then taken Prisoners, had it not been thro' the Persuasion of *Savery de Mal-*

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leon, and some others; who told him the War might prove long, and some of his own Knights might be taken, and put to Death after the same manner; whereupon he sent *William de Albiney*, *William de Lancaster*, and *William de Emesford*, with divers others of the best Quality, close Prisoners to *Corf-Castle*, and other Prisons; and all the Ordinary Soldiers, (except the Cross-Bow-men) he caused to be Hanged.

[3]
W. C.

[3] Whilst the King was thus employed in the Siege of *Rocheſter*, the Barons in return Besieged his Garisons at *Oxford* and *Northampton*, having for this end sent for Engineers out of *France*; but they did not meet with the like Success as the King had at *Rocheſter*.

[4]
M. P. p. 268.
Hugh de Boves
with a great
many Foreign
Forces, is caſt
away in a
great Storm.

[4] But about this time, the King received a great Diſappointment in ſome of thoſe Foreign Succours he now expected; for *Hugh de Boves* (a Stout but Insolent Commander) having Shipp'd himſelf with a great Number of Mercenary Soldiers at *Calice*, intending to Land at *Dover*, the Veſſels met with ſo great a Storm at Sea, that they were all Shipwrack'd in the Paſſage, and their dead Bodies moſt of them caſt on Shore near *Tarmouth*; at which News the King was ſo diſturbed, that he would not eat a Bit of Bread all that Day till Night. But to ſay ſomewhat of Eccleſiaſtical Affairs.

[5]
Id. p. 270.
The Pope ha-
ving declared
the Barons
Excommunica-
ted, commits
the Execution
of the Sen-
tence to the
Biſhop of Win-
cheſter, and
others.

[5] The Pope upon notice that the Barons ſtill perſiſted in the Proſecution of the War againſt the King, had ſome time before declared them all *Excommunicated*, (as you have already heard) and he now committed the Execution of this Sentence to *Peter Biſhop of Wincheſter*, the Abbot of *Reading*, and *Pandulph* his late Legate; in which Bull of *Excommunication*, he enjoyned the Archbiſhop and Biſhops, by virtue of their Obedience, *That they ſhould cauſe the Sentence to be publiſhed every Lord's Day and Holyday, and that with ringing of Bells, and lighting of Candles, throughout all England, untill the Barons ſatisfied the King for the Injuries done to him, and returned to their Obedience.*

[1]
Id. p. 271.
The ſaid Bp
and *Pandulph*
attend the
A Bp of Can-
terbury, com-
manding him
to direct his
Suffragans to
publiſh this
Sentence,
which he de-
fers to do.
Upon which
they ſuspend
him, and pub-
liſh the Sen-
tence them-
ſelves.

[1] Then the Biſhop of *Wincheſter*, and *Pandulph*, perſonally attended the Archbiſhop of *Canterbury*, and, in the Name of the Pope, Commanded him to give directions to the Biſhops of his Province to publiſh this Sentence againſt the Barons: But he was then ready to take Shipping to go to the Council at *Rome*, and therefore deſired reſpite until he ſpake with the Pope; affirming, the Sentence had been obtained by concealing *Truth*; and for that Reaſon he ſhould by no means publiſh it, till upon diſcourſe with his Holineſs he knew his Mind concerning it. But the Biſhop and *Pandulph*, when they found the Archbiſhop diſobedient to the Pope's Command, *Suſpended* him from entering the Church, and celebrating Divine Service.

[2]
Id. p. 272, 273.
The K's Pro-
curators ac-
cuſe the A. B.
of *Canterbury*
in the Coun-
cil at *Rome*, of
holding Intel-
ligence with
the Barons.

At the ſame time likewiſe, the Biſhop of *Wincheſter* declared all the Barons that had endeavoured to drive the King out of the Kingdom, *Excommunicated*, and continued to do ſo every Lord's Day, and on every Feſtival: But they, becauſe not particularly named in the Pope's *Brief*, valued not the Sentence, reputing it Null and Void: And thus the Pope, when he had ſubdued the King, and brought him to his own Terms, to make him amends, joined with him to eſtabliſh his Abſolute, Arbitrary Power over the Nation.

[2] In the General Council now held at *Rome*, the Procurators or Commiſſioners for the King, That is to ſay, *John Abbot of Beau-
lien*,

lien, with *Thomas de Huntingdon* and *Godfrey de Crancomb*, Knights, appeared against *Stephen* Archbishop of *Canterbury*, and accused him of holding a Criminal Correspondence with the Barons, and that by his Favour and Assistance they endeavoured to Dethrone the King; and that when he received the Pope's Commands to restrain the Barons from persecuting the King by Ecclesiastick Censures, upon his refusing to do it, he had been *Suspended*. But the Archbishop being confounded with these Accusations, said nothing for himself, only desired to be Absolved from his *Suspension*: To which the Pope in Anger Swore by *St. Peter*, That he should not so easily obtain the Benefit of Absolution, who had offered so many Affronts, not only to the King of *England*, but also to the *Roman Church*. Then upon Consultation with the Cardinals they all Subscribed, and he confirm'd the late Sentence of *Suspension* against the Archbishop; which was dated the Fourth of *November*, and sent to all the Clerks and Laicks of that Province, to let them know, they had ratified what the Bishop of *Winchester* and *Pandulph* the Legate had done, commanding ready Obedience to it, as appears by the Pope's *Brief*, which you may find at large in our Author.

[3] About this time the Canons of *York* having lately chose *Simon Langton*, (Brother to *Stephen* Archbishop of *York*) presented him to the Pope for his Confirmation; but instead of that he Null'd the Election, and recommended to them *Walter de Gray*, Bishop of *Worcester*, upon the Account that he was reputed a Pure Virgin ever since he was born, whom they accordingly chose; and he at the receipt of his Pall obliged himself to pay Ten thousand Pounds *Sterling* to the Court of *Rome*: From which Relation we may make these Observations: First, What a rare Virtue Continence was then thought to be amongst the Clergy, when a Bishop, (who was very Illiterate) should be thus advanced to an Archbishoprick, only because he was not known to have had any Unlawful Communication with Women; which it seems was very frequent in that Age to Men of his Order.

You may also, Secondly, See what vast Sums of Money the Pope in those Days extorted out of *England*, and what great Riches the Clergy possess'd, when this Archbishop was to pay the Pope such a Sum as would be equal at this Day to above 40000*l*.

By this time, [4] the King having received the late Sentence against the Archbishop, went to the Monastery of *St. Albans*, and there caused it to be Published by that Abbot; and from thence it was sent to all Cathedral and Conventual Churches throughout *England* for the same Purpose. So soon as this was granted by the Convent, he went out of the Chapter-House into the Cloisters, and there advised with those few Councillors he had about him, how he might confound those Great Men who were his Enemies, and provide Pay for that Army of Mercenary Foreigners, that were lately arrived: Upon which it was there agreed, That the King should form two Armies, One of which was to repress the Excursions of the Barons, who then held *London*, whilst he marched forward to subdue the *Northern Counties*. These Resolutions were taken at *St. Albans*, the Twentieth of *December*.

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Whereupon
the Pope con-
firms his Su-
pension.

[3]

Id. p. 271.
The Chapter
of *York* chose
Simon Langton
A. Bp. but he
being refused
by the Pope,
the Bp of *Wor-*
cester is recom-
mended to
them, who
pays the Pope
10000*l*. for
his Pall.

[4]

Id. p. 274.
The K. goes
to the Abbey
of *St. Albans*,
and there
causes the Sen-
cence against
the A. Bp of
Canterbury to
be published.

He also con-
sults with his
Great Men
how to carry
on the War.

About

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[5]

Id. Ib.

He appoints
his Brother
the Earl of
Salisbury with
certain Fo-
reign Com-
manders of
the Forces he
left behind.

And then
marches to-
ward the
North, taking
along with
him great
store of Fo-
reign Officers,
and Soldiers.

[1]

Id. Ib.

The K's For-
ces in their
march plun-
der and de-
stroy the
Country.

[2]

Id. Ib. p. 275.
The Earl of
Salisbury &c.
put strong
Garrisons into
Windsor Castle,
Hertford, &c.
to curb the
Barons, and
streighten the
City of Lon-
don.

And march-
ing into the
adjacent
Counties, spoil
the Barons
Estates.

All which the
Barons bear
with great
Patience.

[3]

Id. Ib.

Fawkes de Brent
takes divers
strong Castles.

At the same time, [5] the King made his Brother, the Earl of Salis-
bury, (who was now released out of Prison in France by exchange)
and Fawkes de Brent a cruel Man (who, tho' of mean Birth, had
raised himself by his military Services to the Degree of a Baron)
with Savery de Malleon, another of the same sort, William de Briwere
and Walter Buck, Commanders of those Forces he left behind; Sa-
very Commanding the Poictouins, and Walter the Flemmings and
Brabanters, who were then noted for all kind of villanies; which
done, the King marched from thence toward the North, taking a-
long with him William Earl of Albemarle, Philip de Albiney and John
the Marechal; and of the Foreigners, Gerard de Sotinie, and one
Godeschal with his Flemmings and Cross-Bow-men, with others of
divers Nations, who neither fear'd God, nor regarded Man.

[1] In his march the King lodging one Night at Dunstable, set
forward the next Morning before Day towards Northampton, and
detaching divers Parties, burnt the Houses of the Barons by the
way, plundering and destroying the whole Country before them;
and all Persons of whatsoever Age or Condition (who not having
taken refuge in a Church or Church-yard) that the Soldiers met
with, were cruelly tormented, till they had ransomed themselves
by Money; So true (says my Author) is that Verse of the an-
cient Poet, *Quicquid delirant Reges, plectuntur Achivi.*

Then the Chastellans, who kept the Barons Castles, when they
heard of the King's coming, quitted their Commands, and fled to
places of Safety; and the King putting Governors into those places,
marched with all speed to Nottingham.

[2] In the mean time William Earl of Salisbury and Fawkes de
Brent, with the Forces left under their Command at St. Albans,
after they had put very strong Garrisons into the Castles of Windsor,
Hertford and Berkamsted, as well to bridle the Barons in London,
as to hinder Victuals from being carried into the City, they march-
ed into the Counties of Essex, Middlesex, Hertford, Cambridge and
Huntingtonshires, where they made the like Waste upon the Barons
Estates, as the King did Northward, and further destroyed their
Parks and Warrens, cutting down their Orchards, &c. and at last
they came so near London that they set Fire on the Suburbs, and
carried off much Plunder: Yet for all this, when the Barons heard
their Towns and Houses were burnt, and their Wives and Chil-
dren taken and exposed to Infamy, they bore it patiently, only
saying, *these things are done by this dear Son of the Pope, who defends
his Vassal in thus enslaving a Free and Noble Kingdom.*

[3] About the same time, Fawkes de Brent burnt the Castle of Han-
slape, in Bucks belonging to William Mandit, and demolished it; also
the same Day the strong Castle of the Earl of Clare's at Tunbridge was
taken by the Garrison of Rochester, and Fawkes likewise took the
Castle of Bedford, having no Relief from William de Beauchamp the
Owner of it. Then the King, to recompence this Fawkes for
his Services, gave him that Castle, and a Noble young Lady, one
Margaret de Rivers, in marriage, with all her Estate; as also the
Lands of divers Barons of England, all which did but serve to ex-
asperate them the more against the King.

[4] For

[4] For in Return of the Outrages committed upon them, a strong Party of the Barons that were at *London*, sallied out, and marching into *Cambridge-shire*, spoiled that Country, and took the Castle of that Town without any difficulty, sending those that kept it, Prisoners to *London*; and then passing through the Counties of *Norfolk* and *Suffolk*, they plundered those Inhabitants, and made the Citizens of *Norwich* redeem themselves: The like they did at *Yarmouth* and *Ipswich*, and the Neighbouring Towns, and in their Return they took the Castle of *Colchester*, and sometime after this, those of *Hertford* and *Berkhamsted*, with other Places adjacent.

[5] As for Ecclesiastical Affairs, this Year affords none in *England* (except what has been already mentioned;) but the Pope held a General Council at *Rome*, which was chiefly called to renew the *Crusado*, for the Recovery of the *Holy Land*; to which he himself then gave Thirty thousand Marks, which remained in his Hands of the Alms of certain pious Persons; He also promised for himself and his Cardinals to pay the Tenth part of their Ecclesiastical Revenues for Three Years, and Taxed all Archbishops, Bishops and other Clergymen a Twentieth part of theirs for the like time.

At this Council appeared no less than Four hundred and Twelve Bishops, with the Two Patriarchs of *Constantinople* and *Jerusalem*, besides the Ambassadors of the *Greek* and *Roman* Emperors, together with those of *France* and *England*, and the rest of the King and Princes of Christendom.

[1] This being the last Year of King *John's* Reign, he kept *Christmas-Day* at the Castle of *Nottingham*, and the Day after, he sent and summoned *Belvoir-Castle*, threatening to starve *William de Albiney* (the Lord of it) to death, if it were not surrendered without Capitulation. Upon which the Governors, for the safety of their Master carried the Keys thereof to the King, being then at *Langor*; yet upon Condition, that he should deal mercifully with him, and that they themselves should remain in safety with their Horses and Arms. Accordingly the King took possession of it on *St. John's Day*, and gave them that were in it his Letters Patents of Indemnity, for the Enjoyment of all their Goods, having first taken an Oath of Fidelity and Obedience from them.

[2] In the mean time some of the King's Army came to *Deventon*, a Castle of *John de Lacyes*, and finding it deserted, the King Commanded it to be Razed to the Ground. Here our Author, (not *Matt. Paris*, but *Roger of Wendover*, who wrote before him,) proceeds to Relate, that the King passing through the *North* Parts, divided his Army into several Bodies, which every where in their march plundered and burnt the Houses of the Barons, driving away their Cattle, and destroying all things before them with Fire and Sword: And here the Monk is very sharp against these cruel Mercenaries, calling them *the Guards of Satan*, and *Ministers of the Devil*; and indeed not without cause, if they were guilty of those barbarous Cruelties he charges them with; which, since they would be tedious and perhaps unpleasant to Relate at large, I shall only give you this brief account of them; as that they spared neither Age, nor

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[4]

M. W.

The Barons
in return
plunder Com-
bridge, Nor-
wich, and o-
ther Towns.

[1]

M. P. Id p.

272.
The Pope in
the General
Council at
Rome, renews
the *Crusado*;
and gives
largely to it,
out of other
Peoples Pur-
ses.

[1]

Id.

The K. after
he had kept
Christmas day
at *Nottingham*,
summons *Bel-
voir Castle*,
which is sur-
rendered to
him at Di-
cretion.

[2]

Id. p. 275.

The K. Com-
mands *Deven-
ton Castle* to
be razed.
And his Ar-
my make
great havock
in the *North*.

our Author's
Character of
their Mercen-
aries:

Anno Dom Sex; neither Women, Children nor old decrepit People escaping
MCCXVI their Cruelties: He farther relates, that they took Priests from the
 A brief Ac- very Altar, with the consecrated Hosts in their Hands, and then
 count of their tortured, robbed and wounded them; and that to extort Money
 Cruelties from Gentlemen and those of meaner Condition, they hanged
 Some up by the Middle, Others by their Legs and Feet; Some by
 their Arms, Hands, or Thumbs, spitting into their Eyes Salt mixt
 with Vinegar; Others they laid upon Trivets and Grid-irons over
 burning Coales, then put their broiled Bodies under Ice to cool
 them: So that now all Commerce ceased, and there were no Mar-
 kets held any where but in Church-Yards.

Dr. Brady en-
 deavours to
 make these
 Accounts the
 false represen-
 tations of the
 Monks; but
 his Reasons
 seem not suf-
 ficient.

Dr. Brady and Others who Write in favour of King John, would
 fain suppose that these things were invented by the Monkish Wri-
 ters of these times, purely to blacken his Memory, and one might
 believe so, if there were only One or Two who wrote this; but *Ra-*
dolph Abbot of *Coggeshal* gives us the same Account, (tho' in fewer
 words) of these Cruelties; and if we must not believe these Au-
 thors, who wrote of things in their own time, because they were
 Monks and Enemies to King John; we may as well for the same
 Reason not give them Credit in any thing else: whereas what they
 relate was done within the memories of divers then alive, who
 must needs have cryed out on them for notorious lyars, had the
 matters been otherwise than as they related them; but I shall pro-
 duce a foreign Writer to justify the same passages by and by.

The King
 commits the
 Custody of
 the Northern
 Counties to
Hugh de Baili-
ol, and others.

[3]
Ro. Pat. 18.
Joan. M. 7.
Dors. n. 66.
 And the Ca-
 stles in the
 South, to the
 Earl of *Albe-*
marle and o-
 thers.

Thus, whilst the Barons lay quiet at London, the King got pos-
 session of almost all their Castles and Estates from the South to the
 Northern Sea; which with the Lands lying between the River *Teyse*
 and Scotland, he committed to *Hugh de Bailiol* and *Philip de Hulecotes*,
 with sufficient Soldiers to defend that Country, as appears by a
 [3] Writ which Dr. Brady cites from the Tower Records. The Castles
 and Lands in *York-shire* were committed to *Robert de Vipont*, *Brien de*
Lisle, and *Geoffry de Lucy*, with Forces requisite for their Defence;
 to *William* Earl of *Albemarle* he committed the Castle of *Rocking-*
ham and *Bitham*; to *Fawkes de Brent*, he gave the Custody of the
 Castles of *Oxford*, *Northampton*, *Bedford* and *Cambridge*; with the
 Castle of *Hereford* he entrusted *Walter de Godardvil*, a Knight, Re-
 tainer of *Fawkes de Brent*; and to *Ranulph* the German the Castle of
Berkamsted; with commands to all of them, that as they loved their
 Bodies and all they had, they should destroy all things that belong-
 ed to the Barons, their Castles, Houses, Towns, Parks, Warrens, &c.
 and what could the most Barbarous foreign Enemy have done more!

The K. of
 Scots invades
 England.

About this time (as the Scottish Historians *Buchanan* and others
 relate, their) Young King *Alexander*, being Invited by the English
 Clergy and Barons, who were Enemies to King John, Invaded Eng-
 land; and *Norham* Castle being surrendered to him upon Articles,
 he marched further into the Country, doing what mischief he
 could to those of the King's Party.

[4]
G. M.

[4] When the Scottish King was returned home, after he had ta-
 ken the Homages of the Barons of *Northumberland*, (which he then
 laid claim to) King John with his Army of Mercenaries marched
 toward Scotland; at what time the Barons of *York-shire*, who had
 also Confederated against him, hearing of his coming, fled to the
 King

King of Scots for Refuge, and did him Homage at the Abbey of *Maitrofs*. But the King of *England* presently following them, destroyed their Towns and Possessions with Fire and Sword; tho' some of those Barons to prevent him, set fire themselves to their own Houses, together with their Corn, lest they might prove serviceable to the King; so that the greatest part of the Country was laid waste.

Then advancing farther, about the beginning of *January* the Towns of *Werk*, *Alnwick*, and *Morpeth* were also burnt; nor did the King stop here, but marching into *Scotland*, in the same Month he burnt *Roxburgh*, with divers Towns and Villages, and about that time likewise took the strong Town and Castle of *Berwick*, which was till then thought impregnable.

Here, as the Writer of the Chronicle of *Maitrofs* (who then lived) relates, the King's Mercenaries exercised most inhumane Cruelties upon all they could meet with of both Sexes; for hanging up some by their Hands, and others by their Feet, they tormented them after a most terrible manner, to squeeze Money from them: And thus you have another impartial Witness of the strange Inhumanity of these mercenary Forces in *Scotland* as well as in *England*; which since the King did not restrain by any good Discipline, it may be justly imputed to his Order or Connivance at least.

From hence the King marching to *Hadington*, burnt it, and *Dunbar*, with other Towns in those Parts. Also these Soldiers or Ministers of *Satan*, (as my Author calls them) plundered the Abbey of *Coldingham*, and then burnt and deserted the Town of *Berwick*; the King himself giving the example, who (as it is reported) with his own Hands set Fire to the House in which he lay.

On the other Side, in the Month of *February* following, the King of Scots raising a powerful Army, marched against King *John*, but he being afraid to meet him, retreated towards *England*; therefore *Alexander* in Revenge burnt and destroyed all the Country as far as *Carlisle*, and then leading them quite through *Northumberland*, (as *Buchanan* relates) came as far as *Richmond*; but King *John* preventing his overtaking him by long marches, *Alexander* returned back through *Westmorland* into his own Kingdom, and so concluded his Expedition with sufficient Honour.

But notwithstanding King *John* now lost whatever he had got in *Scotland*, yet this Expedition proved of great advantage to him, since besides the mischief he did the Scots, [5] he also reduced the Northern Counties to his Obedience, so that there did not remain any more than Two Castles belonging to the Barons in those Parts: These Countries being thus subdued, the King returned home by the Borders of *Wales*; where he likewise treated those that resisted him very Cruelly, and took divers Castles belonging to his Enemies, some of which he pulled down, and others he new-Garrisoned with his own Soldiers.

But it is fit we give some Account of the Ecclesiastical Affairs that were transacted this Summer, since they had now so great an Influence on the Civil.

*Anno D. m.
MCCXVI.
K. John spoils
the estates of
the Barons in
Yorkshire.*

*K. John burns
divers Towns
in Northumber-
land, and en-
tering Scotland,
burns Rox-
burgh, and
takes Berwick.*

*A farther Ac-
count of the
Cruelties of
K. John's mer-
cenary Army.*

*King John
marches far-
ther into Scot-
land, burn-
ing several
Towns.*

*The K. of
Scots raises an
Army, and
marches a-
gainst K. John,
who thereup-
on retreats,
and returns
into England.*

[5]
M. P. P. 276.

Anno Dom.
MCCXVI

[1]
Id. ib.
The Pope Ex-communicates the Chiefest of the Barons who were against the King by Name.

As also divers Citizens of London, and puts the whole City under an Interdict.

[2]
Id. p. 277.
The Pope's Delegates here write to all Cathedral and Conventual Churches, to publish this Sentence.

* See their Names in our Author.

[3]
Id. p. 278.
The City of London; and the Barons despite the Sentence, and their Reasons for it.

[4]
Id. ib.
Walter Buck Seizes and Plunders the Isle of Ely.

* i.e. The Station of the Army, and was the Old Fortification where the Conqueror's Army lay.

[5]
Id. ib.

[1] The Pope having had notice from the King, that the Barons valued not his general *Excommunication*, he therefore proceeded to *Excommunicate* the Chiefest of them by Name, and committed the Execution of his *Breve* to the Abbot of *Abbeindun*, the Archdeacon of *Poictou*, and Master *Robert*, Official of *Norwich*, by which he not only *Anathematized* all the Barons with their Assistants and Favourers, who persecuted the Illustrious King *John*, Vassal to the *Roman Church*, but further, he *Excommunicated* and *Anathematized* all those who helped them to Invade and Possess the Kingdom, or hindered any Person from going to, and assisting the King; and put all the Barons Lands under *Interdict*; He also *Excommunicated* the Citizens of *London*, that were principal Actors against the King, and One and Thirty Others, by Name, with all their Accomplices, and put the City of *London* under Ecclesiastical *Interdict*, and all this without remedy of Appeal. This *Brief* bears date the 27th of the Kalends of *January*, being *December* the 16th, 1215.

[2] The Pope's Commissioners, or Delegates, upon the receipt of this *Brief*, wrote to all Cathedral and Conventual Churches, enjoining them to publish this *Brief* of *Excommunication* against the Barons *therein named, and to order it to be published in the Parish Churches, within their several Jurisdictions, upon all Lord's Days and Festivals, and enjoined them to publish Thirty other Barons by name *Excommunicated*, which were contained in the Sentence drawn up by *Peter* Bishop of *Winchester*, *Pandulph*, and the Abbot of *Reading*, for whose Names I refer you to our Author.

[3] Upon the Publication of this Sentence, the City of *London* stood contumacious, and despised it; and the Barons resolved not to observe it, nor did the Bishops much urge it; For it was generally said, that those Briefs were obtained by false Suggestions, and therefore were of no value; and for this also more especially, that it did not belong to the Pope to direct and govern in Lay-matters; because only the Power and Disposition of Ecclesiastick Affairs was committed by God to *Peter* the Apostle, and his Successors; 'Why therefore should the insatiable Covetousness and Ambition of the *Roman Court* oblige them? Behold (said they) the Successors of *Constantine*, not *Peter*, who do not the Works of *Peter*, nor are they at all like him in Authority: And then after many Invectives against the Pope's Usurers and Simoniackal Ministers, our Monk concludes with this Exclamation, *How unlike to Peter, are those who Usurpe to themselves so large a share of his Power!*

[4] About the same time *Walter Buck* with his *Brabanters* enter'd the Isle of *Ely* by *Audery's Cause-way*; or, as our Author words it, he enter'd it on that side towards **Hereby*. while *William* Earl of *Salisbury*, *Faulks* and *Savarie de Malleon*, passing over the Ice, got into it on the other side by *Stuntney-Bridge*, and wasted and plundered the whole Isle; and many that fled thither, as to a Place of Safety, were taken Prisoners, and put to Ransom: The Cathedral was redeemed from Fire by the Prior, for somewhat more than an Hundred Marks of Silver; so that these *Mercenaries* made no distinction between Persons, or Places, Sacred or Prophane.

[5] The Barons having now lost all they had, and being reduced to Desperation, knew not what course to take to recover their Losses;

ses; but for the present all the Remedy they had was to curse the King's Falshood and Inconstancy, and so fell into very sharp Inve-
ctives against him, for subjecting his Kingdom to the Pope; Nor
spared they his Holiness himself, for thus joining with the King to
Oppress and Enslave the Nation; which (tho' added by *Matt. Pa-*
ris to *Roger of Wendover's* History, yet) seems very likely to have
been the General Complaint of the Kingdom at that time.

But to come to the Matter, [1] The Barons when they had vented
their Spleen, after much Consultation, at last resolved, that the
only way they had left to recover their lost Estates, was, to chuse
some powerful Prince for their King, supposing that None could be
more Severe and Tyrannical than King *John*; nor could they (as
they believed) be in a much worse Condition, let what would be-
fall them: The main Question was, whom they should make choice
of; which being for some time debated, at last they agreed to set
Lewis, Eldest Son to *Philip* King of *France*, upon the *English* Throne,
and one of their chief Reasons was, because that most part of the
Forces (which were King *John's* greatest Strength) came out of his
Territories; so that he would be thereby deprived of their Affi-
stance, and left as it were to their Mercy, This generally pleased
them; and thereupon they sent *Saher* Earl of *Winton*, and *Robert*
Fitz-Walter, to King *Philip*, and *Lewis* his Son, with Letters sealed
with the Baron's Seal, earnestly imploring the Father to send his
Son to be King of *England*; and no less importunately requesting
the Son, that he would forthwith come and receive the Crown.

The King of *France* having perused the Barons Letters, told their
Commissioners, he should not send his Son, till, for his greater Se-
curity, he had received Twenty four Hostages or Pledges, of the
most Noble Persons of the Kingdom; whereupon the Barons, ha-
ving no other Remedy, sent to him so many Hostages as he required;
and so soon as they were received, and put into safe Custody, *Lewis*
prepared himself for the Expedition, which he desired above all
things; but because his coming over could not be immediately, he
sent before him into *England* the *Castellans* of *St. Omars* and *Arras*,
Hugh Chacun, *Eustace de Neville*, *Giles de Melun*, and divers other
Noblemen of *France*, with a great Number of Soldiers, to encour-
age the Barons, who came up the *Thames* to *London*, and were re-
ceived with great Joy on the 27th of *February*.

But to intermix now somewhat of Ecclesiastical Matters; [2]
About the same time *Stephen* Archbishop of *Canterbury*, having given
caution at *Rome*, that he would stand to the Judgment and Deter-
mination of the Pope concerning the Things before expressed, was
absolved from the Sentence of *Suspension*, upon condition that he
should not return into *England*, untill there was a firm Peace esta-
blished between the King and his Barons.

To this time I must also refer what *Rad. de Coggeshal* relates, that
in *Mid-Lent*, the King with a great Army besieged the Castle of
Colchester, which within a few Days was surrender'd upon these
Terms, That all the *French* Men (who it seems were the greater
Number) might freely return home with their whole Baggage, while
the *English* were to be dismiss'd, but upon Ransom; which Agree-
ment, tho' the Earl of *Salisbury* had confirm'd with an Oath on the
King's

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MCCXVI.

The Barons
curse the K's
Falshood, and
rail against
the Pope.

[1]
Id. p. 279.

And agree to
make *Lewis*,
Son to K. *Phi-*
lip, their King,
and the Rea-
sons of it.

They send
Ambassadors
into *France* to
invite him o-
ver.

The *French* K.
requires Ho-
stages for his
Son's Security
if he came,
which is
granted.

Prince *Lewis*
sends several
of his Great
Men, and a
great many
Soldiers over
before him.

[2]
Id. ib.
The A.B. of
Canterbury's
Suspension
taken off, on
Condition he
would not re-
turn into *Eng-*
land till Peace
was made.

Colchester Ca-
stle taken by
K. *John*, where
the *French* are
dismiss'd, but
the *English*
kept Prisoners
contrary to
their Articles.

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MCCXVI.

The French
like to be
Hanged by
the Barons.

King's behalf; yet he set none but the *French* at Liberty, keeping all the *English* not only close Prisoners, but also in Fetters, under pretence that he could not endure the Breach of their Fidelity: But so soon as these *Frenchmen* came to *London*, they were like to be Hanged by the Barons, because they had given up and betray'd their Fellow-Soldiers: But at last by the Advice of one Wiser and more Merciful than the rest, this severe Execution was remitted, and they were to be kept in Prison till the arrival of Prince *Lewis*, who was now suddenly expected.

[3].
Id. ib.

The King be-
stows great
Donatives on
his Mercena-
ries to encou-
rage them to
besiege *Lon-
don*; but the
Citizens, in
Contempt of
them, set open
their Gates.

[3] Sometime after this, when the King had taken the Castle of *Hidingham*, belonging to *Robert de Vere* Earl of *Oxford*, he distributed great Donatives to his *Mercenaries*, that so he might thereby encourage them to besiege *London*; which when the *Londoners* heard, they were so far from being afraid of them, that they presently set the Gates of their City wide open, to shew they were ready to Encounter the King, if he should offer to set upon them; but he perceiving their Courage, and the Multitude of Combatants, thought fit to retreat, without putting it to the Tryal. Yet *Savory de Malleon* approaching too near the Town, fell into an Ambuscade of the *Londoners*, and lost a great many of his Men, while he himself being grievously wounded, had much ado to escape.

[4].
Id. ib.

The *Londoners*
take 65 Sail of
Pyrates that
block'd up the
River of
Thames.

[4] About the same time also, the *Londoners* Ships took and destroyed Sixty Five sail of Pirate Vessels, which then block'd up the Mouth of the River *Thames*, killing and taking Prisoners most of the Seamen that were in them; From whence we may Judge of the great Power and Strength of this City, by Sea and Land, in those Days, which could thus support it self against the King's *Mercenary* Forces, who had then over-run all the rest of *England*.

[5].
Id. ib.

The Northern
Barons not be-
ing able to
take *York*, ac-
cept of Mo-
ney from the
Citizens to
march off.

[5] Also about this time the *Northern* Barons taking fresh Courage, gathered together an Army, and besieged *York*; and tho' they were not able to take it, yet they received more than a Thousand Marks from the Citizens to march off, which they did for the present.

K. John sends
Ambassadors
to the King of
France, to hin-
der his Son
Lewis from
coming over,
but without
any Effect.

In the mean while, there were cruel Plunderings and Burnings committed in that Province by the King's Soldiers, whilst the Barons committed the like Devastations upon the Lands of their Adversaries; but when the King heard that Prince *Lewis* was now resolved to pass over into *England*, he sent *Philip* Bishop of *Winchester*, *William Marechal* the Elder, and some others, Ambassadors to the King of *France*, to persuade him to hinder his Son from this Design: But the King sent them away without so much as vouchsafing them an Audience.

Whereupon
the K. visits the
Sea-Coasts,
and putting
Garrisons in-
to the strong-
est Places, sets
out a great
Fleet.

When King *John* saw there was no good to be done with *France* by fair means, he presently visited the Sea-Coasts, and putting Garrisons into the strongest Places, obliged the *Cinque-Ports* by fresh Oaths and Pledges to be Faithful to him; then gathering together a great Fleet of Ships from *Yarmouth*, *Lyn*, *Donwich*, and other Ports, and having Mann'd them very well, he resolv'd to Engage the *French* in their Passage: But a mighty Tempest arising from the *North*, broke to Pieces, or Sunk, the most part of this Fleet, by which sad Accident the King was frustrated of his hopes of doing any good by Sea.

Most part of
which is cast
away by a
Storm.

But

But now let us look back to Ecclesiastical Matters, and see what the Spiritual Sword acted all this while in England.

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[1] About *Easter* the Abbot of *Abbeindun*, and his Fellow Commis-
sioners, finding the Contumacy of the Barons and City of *London*
still to continue, wrote to all the Conventual Churches, or Monaste-
ries of *England*, commanding them to publish the Sentence of *Excommu-
nication* against the Deans of *St. Pauls* and *St. Martins*, and the Con-
vent of *Holy Trinity*, for their Contempt to the Pope, in not pub-
lishing his Sentence of *Excommunication* against the said City and
Barons, as Enemies to the King; and also Commanded them to
Excommunicate the Castellan of *St. Omar*, with all his Company,
that came to Invade and Possess the Kingdom of *England*, together
with all Canons and Clerks within the City of *London*, upon pain
of falling under the Pope's high Displeasure. The Reader may find
these Letters at large in our Author.

[1]
M.P. p. 279.
The Pope's
Commis-
sioners write to
all the Con-
ventual
Churches to
publish the
Sentence of
*Excommuni-
cation* against
the Deans of
St. Pauls, and
St. Martins,
London, for
their Con-
tempt in not
publishing his
Sentence.

[2] At this time also Prince *Lewis* wrote to the Barons and Ci-
tizens of *London* a very kind Letter, wherein he returned them
thanks for their valiant Behaviour in his Cause, with an Exhorta-
tion to them to persevere in the same Course, and a Promise that
he would be at *Calais* by *Easter* following, in order to come over in-
to *England*. Not long after, some of the *English* Barons holding a
great Tournament with those Noblemen that came lately out of
France, One of them with his Spear mortally wounded *Geoffrey de
Mandeville*, Earl of *Essex*, who died within a few Days after, to the
great Grief of those of his Party.

[2]
Id. p. 280.
Prince *Lewis*
writes to the
Barons, and
Citizens, to
encourage
them to take
his Part.

[3] In the mean while the Pope sent *Wallo*, or *Guallo* his Legate,
into *France*, to prevent the Expedition of Prince *Lewis* into *England*,
who delivered to King *Philip* his Master's Letters, by which he en-
deavoured to persuade him, not to permit his Son to invade *Eng-
land*, nor disturb the King, but rather to Protect and Defend him,
as being a Vassal of the *Roman* Church, and whose Dominions be-
longed unto it. To which the King of *France* immediately replied,
'That the Kingdom of *England* never was, nor ever should be
'the Patrimony of *St. Peter*, for King *John* having several years
'endeavoured to Dethrone his Brother *Richard*, he was accused of
'Treason, and convicted in that King's Court, *Hugh de Pudsey*, Bi-
'shop of *Durham*, having pronounced the Sentence against him;
'and therefore either he never was a Lawful King, and so could not
'give away his Kingdom; or if he ever were such, yet he had been
'already Condemn'd in the Court or Parliament at *Paris*, for the
'Death of his Nephew *Arthur*, and for this Fact continued still Sen-
'tenced. Lastly, That no King, or Prince, could dispose of his
'Kingdom without the assent of the Barons, who are bound to de-
'fend it: And if the Pope would take upon him to maintain this
'Error, it would prove a Pernicious Example to all Civil States.
Then likewise all the Great Men of *France* unanimously declared,
that they would maintain this Point even to Death, That no King,
or Prince, by his single Authority, had Power to give away, or make over
his Kingdom, and thereby enslave his Nobility. These things were
acted at *Lyons* about Fifteen Days after *Easter*.

Geoffrey Earl of
Essex is wound-
ed at a Tour-
nament, and
Dies.

[3]
Id. ib.
The Pope
sends his Le-
gate to K. *Phi-
lip*, to hinder
his Son's
coming into
England.

From

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MCCXVI

From which Relation we may observe, That the King and Nobility of *France* did not believe, that King *John* had ever surrender'd his Kingdom to the Pope by the Consent of his Barons, tho' it be otherwise recited in that King's Charter, concerning which I shall say no more, having already spoken somewhat of it in my *Introduction* to this Volume.

We may likewise observe from this Unanimous Judgment of the *French Nobility*, that they did not suppose their own King, nor any other Prince in Christendom, was so Absolute, as to have a Power vested in him of disposing of his Kingdom without their Consents.

[4]
Id. ib. 280, 281.

An Account
of the Plead-
ings on both
sides between
the Pope's Le-
gate, and the
Proctor or
Advocate of
Prince Lewis.

[4] The next Day, by means of the King of *France*, Prince *Lewis* was present at the Conference, where the Legate began to dissuade him from Invading *England*, as being the Patrimony of the *Roman Church*; and also again applyed himself to his Father, according to the Effect of the Pope's Letter; to whom the King said, 'He always was much devoted to the Pope, and the *Roman Church*, and always effectually promoted their Affairs; nor should his Son now, by his advice or assistance, attempt any thing against them; but if he challenged any Right to the Kingdom of *England*, he ought to be heard, and what was just should be allowed him: Upon which words a Knight stood up and argued for his Master Prince *Lewis*, against King *John* and the Pope's Title, alledging, (as King *Philip* had done before)

The Reasons
of Pr. Lewis's
Advocate a-
gainst the
Pope's and K.
John's Title.

First, That King *John* had destroyed his Nephew *Arthur*, and was therefore condemn'd to Death by his Peers of *France*,

Secondly, That afterwards for many Murthers Manslaughters, and other Enormities committed in *England*, he had been Deposed by the Barons, from Reigning over them.

Thirdly, That without the Consent of his Barons he had made over the Kingdom of *England* to the Pope and Church of *Rome*, to take it again and hold it of them under the Annual Tribute of a Thousand Marks.

Fourthly, That supposing he had given away the Crown of *England* without the Consent of the Barons, and had quitted and resigned his Right to it, yet so soon as he had done it, he thereby immediately Unking'd himself, and the Throne becoming vacant, it could not be fill'd, without the Consent of those Barons; who had now chosen Prince *Lewis* in right of his Wife, whose Mother (the Queen of *Castile*) was the only Child then living of all the Sons and Daughters of *Henry* the late King of *England*.

These were the Arguments used by *Lewis* his Advocate, against the Titles of the Pope.

[5]

Id. ib.

The Legate's
Reply to the
Reasons
brought by
Lewis's Advo-
cate.

[5] For all this the Legate still urged, That King *John* was signed with the *Cross*, (that is, had undertaken the *Crusado*) and therefore according to a Constitution of the late General Council, ought to be free from any Disturbance for Four Years, being under the Protection of the *Apostolick See*; To this *Lewis* his Advocate replied, That King *John*, before ever he was signed with the *Cross*, had made War upon his Master, and taken his Castles, and wasted his Countries with Fire and Sword; and had made many Knights and others Prisoners, whom he still detained, and was even now in actual

War

War against his Master, and therefore the War he intended against him was just, according to the Law of Retaliation.

[1] The Legate hereupon, not satisfied with these Reasons, forbade Prince *Lewis* under pain of *Excommunication* to enter *England*, and the King his Father to permit him to do it. But yet *Lewis* begged of his Father not to hinder his Design for declaring his Right; since he resolved to hazard his Life to obtain his Wife's Inheritance, and so departed from the Conference. Then the Legate desired a safe Passage from the King of *France* to the Sea side, which was readily granted him through his own Territories; but he would not undertake to secure him if he should fall into the hands of his Son *Lewis* his Friends, that guarded the Sea; at which the Legate being much displeased, departed from Court.

[2] Prince *Lewis* on the Morrow after *St. Mark's Day*, went to his Father, being then at *Melun*, and once more earnestly beseeched him not to hinder his Design: But tho' the King durst not openly encourage it, yet he privately permitted him to go, and dismissed him with his Blessing; After this the Prince sent his Envoys to the *Roman* Court, to declare to the Pope his Right to the Kingdom of *England*, and then with all speed came to *Calais*, with the Earls, Barons, Knights, and others that had sworn to go along with him in this Expedition, that so he might come into *England* before the Legate. At that Port they found ready to receive them Six hundred Ships, and Fourscore *Cogs*, a sort of small Transport-Vessels, which *Estace*, Sirnam'd the Monk, had gathered together; [3] in which they Embarked with all the speed they could, and Landed at *Stanbore* in the Isle of *Thanet*, not far from *Sandwich*, upon the 21st of *May*.

But Prince *Lewis*, after his arrival in *England*, having heard that *Alexander*, Abbot of *St. Augustin's* at *Canterbury*, had, amongst other Prelates, received Orders from the Pope to proceed against him by Ecclesiastical Censure, or *Excommunication*; to prevent this he wrote a Letter to the said Abbot, (still extant in **William Thorn's History* of that Abbey, 'wherein he claims an Hereditary Right to the Kingdom of *England*, by *John*, (then Earl of *Mortaign*,) his Condemnation for High Treason against his Brother King *Richard*, (as hath been already mentioned) and that by Virtue of this Attainder, all the Right to the Crown of *England* had devolv'd upon *Eleanor* Queen of *Castile* his Sister, and her Heirs, whose Eldest Daughter he the said *Lewis* had Married; and that this Queen had made over to himself and her said Daughter, all her Right to the said Kingdom; and further sets forth, that Archbishop *Hubert* late deceased, did, at the time of King *John's* Coronation, publicly in a Speech made for that purpose, declare, that he succeeded to the Crown, not by *Succession*, but by *Election*; which, as also his subsequent Coronation, having been perform'd by Power or Force, ought not to prejudice the Right of him the said *Lewis*. And he therein further says, 'That King *John* having been solemnly Condemned in his Father's Court for the Murder of his Nephew *Arthur*, had thereby lost his Right to the Crown, and had also forfeited it, by making it over to the Pope contrary to his Coronation-Oath, whereby he swore to maintain all the Rights and Customs of the Kingdom, and that this was done without the Consent

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[1]

Id. ib.

The Legate not satisfied with *Lewis's* Reasons, forbids him entering *England* on pain of *Excommunication*, who regarded not those Threats.

The Legate desires leave to depart.

[2]

Id. ib.

Prince *Lewis* renews his request to his Father, not to hinder his going over into *England*, which he privately permitted.

Lewis sends Envoys to *Rome* to set forth his Right to the Kingdom of *England*.

[3]

ib. p. 282.
Coll. 1868.
He arrives and Lands in the Isle of *Thanet*.

And presently writes to the Abbot of *St. Augustin's*.

The Contents of that Letter.

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MCCXV.

sent of the Barons; and he moreover sets forth his great Violence and Injustice in breaking the Charter he had made to them, and in making War upon them without cause; and therefore in the conclusion of this Letter, he desires the Abbot, (notwithstanding the Evil Suggestions of Guallo the Pope's Legate,) to consider that he was come over to restore the Liberties of the Church and Kingdom of England, and for the Common-Weal and Benefit thereof; in the procurement of which, if the said Abbot would be any ways assisting to him, he should then look upon him as his Friend, and would be no ways forgetful of it hereafter.

I have been the more exact in reciting the Contents of this Letter, because you will here see, on what weak Grounds this Prince founds his Title, which certainly could be none at all in Right of his Wife, there being divers Others who had a Precedent, and consequently a much better Right, as you will find more at large hereafter. But to return to our History.

[4]

Id. ib.
K. John, tho' he lay at Dover, yet could not hinder the French from Landing, and the Reason of it.

Lewis subdued all Kent, except Dover Castle, and is then joyfully received into London.

Where he receives the Homages and Fealties of the Barons and Citizens.

[5]

M. P. Ib.
Having got Possession of great part of the Kingdom, he summons the K. of Scots and all the Great Men of England to come and do him Homage, upon which many of them come in to him, and their Names.

Lewis makes Mr. Simon Langton his Chancellor.

[4] In the mean while, King John lay at Dover with his Army, which consisted of Strangers, and therefore he durst not attempt to hinder the Landing of the French, lest his Men should desert him, and go over to Lewis; From thence he went (leaving Hubert de Burgh Governor of Dover-Castle) to Guilford, and so on to Winchester, whilst Lewis himself Landed near Sandwich, and finding no body to resist him, presently subdued all the Country, except Dover-Castle; but in his march he took that of Rochester; then coming up to London, was there received by the Barons with all outward demonstrations of Joy, receiving at the same time the Homages and Fealties of all the Barons, and Citizens; and he likewise swore upon the Holy Gospels, that he would restore to all of them good Laws, as also their Lost Inheritances; which Passage Dr. Brady omits in his History, and places instead of it a Passage of King John and the Barons at Runnymede, which is not to be found in that Author, or any where else, that I know of; but this by the By.

Thus [5] by the 14th of June Prince Lewis had got possession of so much of the Kingdom, that he summoned the King of Scots, and all the Great Men of England to come and do him Homage, or forthwith to depart the Nation; and with great speed upon this his Proclamation, there came in to him William Earl Warren, William Earl of Arundel, William Earl of Salisbury, the King's Half-Brother, William Mareschal the Younger, and many others, who deserted King John, upon a firm Belief, that Lewis would now obtain the Kingdom of England; or (which is more likely) because King John was now grown Odious, even to his best Friends and nearest Relations. At the same time also, Prince Lewis made Master Simon Langton, Brother to the Archbishop, his Chancellor, who being before incensed against the Pope by his late disappointment of the Archbishopric of York, did now by his Preaching persuade all the Barons and Citizens of London to be present at Divine Service, and also made Prince Lewis to give consent to it. Thus you see, when the Clergy and People grew once Unanimous, the Pope's Excommunication signified nothing.

Guallo

[1] *Guallo* the Legate followed Prince *Lewis* into England with all speed, and got safe to King *John*, who was then at *Glocester*; and there calling together as many Bishops, Abbots, and Clerks as he could, Excommunicated Prince *Lewis* by Name, with all his Accomplices and Favourers, and especially *Simon de Langton*; commanding all the Bishops and Others to publish the Sentence against them every Lord's Day and Festival. But *Simon de Langton*, and *Gervase de Hobergge*, Præcentor of *St. Pauls* in *London*, alledged, that they appealed for the Right and Title of Prince *Lewis*, and therefore the Sentence was Null and Void. At this time also most of the Knights, and Ordinary Soldiers of *Flanders*, and other Transmarine Countries, left King *John*, (except the *Poitevins*, and some went over to *Lewis*, and others returned home. From whence we may observe, that this Unfortunate King could not depend even upon those very *Mercenaries* he had Hired, and kept in Pay; but whether for Fear of *Lewis*, or out of Hatred to King *John*, our Author does not tell us.

Anno Dom.
MCCXVI.

[1]
Id. ib.
The Pope's Legate follows Lewis into England, and excommunicates him with all his Adherents.

Simon Langton, and *Gervase* appeal to the Pope on the Prince's behalf.

Most of the Foreign Mercenaries desert King John.

[2] Sometime after this, Prince *Lewis* leaving *London*, marched into *Kent*, and totally subdued it, except *Dover Castle*; then going into *Sussex*, he took in that Country, with the Towns and Fortresses belonging to it; and afterwards passing into *Hampshire*, took the City of *Winchester* with the Castle, None withstanding him, except one Brave young Gentleman, *William de Colingham*, who defied *Lewis*; and refusing to swear Fealty to him, with a Thousand Archers during the time of Hostility kept himself in the Woods and Fastnesses of *Sussex*, and killed several Thousands of the French. *Hugh de Neville* came to *Lewis* at *Winchester*, and doing him Homage there, delivered the Castle of *Marlborough* into his Hands; So that he was now possessed of all the Southern Parts of the Nation, except the Castles of *Dover* and *Windsor*, which were well Mann'd and Fortified, and prepared to receive him. At the same time also, *William de Mandevill*, *Robert Fitz-Walter*, and *William de Flemingfeld*, by Force brought under his Obedience the Counties of *Essex*, and most part of *Suffolk*.

In the mean while, King *John* took care to Furnish and Strengthen, as well as he could, with Men, Victuals, and Ammunition, several Castles in the Western Parts, as *Wallingford*, *Corf*, *Warham*, *Bristol*, with the *Devises*, and others.

[3] In the midst of these Successes, Prince *Lewis* received an Account from the Messengers he had sent to the Pope, that upon their Application to him, and presenting his Complement, he told them, Their Master was not worthy the return of his Salutation; to which they replied, 'When his Holiness had heard his Reasons and Apology, they doubted not but he should find him a True Catholic Prince, and highly devoted to him and the Roman Church; In-somuch that at length, after many Addresses, they found him Wavering and Fluctuating between his Affection to Prince *Lewis*, and his Inclination to King *John*, and indeed he well considered his Interest on both sides, and what Inconveniencies he might receive, whether the King, or the Prince got the better.

[2]
Id. ib.
Lewis leaves London, and marches into Kent, and reduces it all except Dover Castle.

And takes Winchester, none resisting him except William de Colingham.

Hugh de Neville delivers up the Castle of Marlborough to Lewis, and is thereupon possessed of all the South of England, except two Places Essex and Suffolk.

K. John furnishes his Garrisons in the West with Victuals, and Ammunition.

[3]
Id. p. 283.
Lewis receives an Account from his Ambassadors at Rome of their Proceedings there.

Anno Dom.
MCCXVI

[4]
Id. 10.
The Reasons
of the Amba-
sadors, with
the Pope's
Answers.

[4] Then the Envoys proceeded to set forth at large the Reasons and Arguments presented to the Pope on behalf of Prince *Lewis* against King *John*; the Sum of which were,

First, That the King was adjudged to Death by his Peers for the Murther of his Nephew *Arthur*; to which the Pope answered, That the Barons of *France* could not Judge him, because he was an Anointed King, and their Superior; and besides, it was against the Canons to Judge an Absent Person, unheard, unconvicted, and who had not confessed his Crime: To this the Envoys of *Lewis* returned, that according to the Law or Custom in the Kingdom of *France*, their King had all Jurisdiction whatsoever over King *John* his Liege-Man, as an Earl and Duke; therefore tho' he was a King Anointed in *England*, yet as he was but an Earl and Duke of *France*, he was under the Jurisdiction of their Lord the King; so that if such an Earl or Duke, committed a Crime in that Kingdom, he might and ought to be judged by his Peers there: Nay, if he were neither Duke nor Earl, nor Liege-man of the King of *France*, but had committed such a Crime in that Kingdom, even then, because the Crime was committed there, the Barons might Judge him to Death; otherwise, if the King of *England*, because he was an Anointed King, could not be Condemn'd as a Peer of *France*, he might then without any controul enter the Kingdom of *France*, and destroy the Barons of that Kingdom, as well as he had done his Nephew *Arthur*; to [5] which the Pope reply'd, That many Emperors and Kings of *France* are reported in Histories to have destroyed several Innocent Persons, yet we do not read that any of them were ever condemn'd to Death; and seeing *Arthur* had done Homage and Allegiance to his Uncle King *John*, and was afterwards taken Prisoner, fighting against him, he might justly be put to Death, as a Traytor to his Lord the King: So little Sense the Pope then had of Duke *Arthur*'s Right to the Crown, or of the Horridness of the Murther committed upon him.

[1] Secondly, 'Twas objected against King *John*, that tho' he was often cited to the Court of the King of *France*, yet he neither appeared Personally himself, nor sent any one to do it for him; to which the Pope answered, That this was but a Contumacy at most, and not a Mortal Crime, and was otherwise to be punished; and therefore the Barons could not Judge him to Death: But *Lewis* his Messengers replied, That it was the Custom of *France*, if any one was accused of Murther, and appeared not, but sent his Excuse, he was adjudged as if he were Convicted in all points, and his Issue barred from Inheriting: To this the Pope answered again, That supposing King *John* had been judged to Death, and his Issue barred (which could only be for his Territories in *France*) yet did it not follow, that *Blanche*, the Wife of *Lewis*, ought therefore to succeed; but either the Sister of *Arthur*, or else *Otto*, Son of *Henry* Duke of *Saxony*, by King *John*'s Eldest Sister; or if it be supposed that the Queen of *Castile* ought to succeed, or her Daughter *Blanche* in her Right, that is a Mistake, because the Male-Issue, viz. the King of *Castile* her Brother, or else the Queen of *Leon* her Eldest Sister: To this *Lewis* his Envoys rejoin'd, That their Mistress had a colourable Title, which was to hold good, until some other more Rightful plainly

plainly appeared, and if any nearer to it afterwards claimed, their Master then might do what he thought fit, or what he ought.

[2] Then the Pope urged, That the Kingdom of *England* was his Property, and that *Lewis* ought not to deprive King *John* of it, who held it as his Feudatary; To this *Lewis* his Commissioners answered, That the War was begun before the Pope could pretend to it, for *William Longespee*, Earl of *Salisbury*, had long since invaded Prince *Lewis* his Territories with an Army, and therefore his War was just against the King of *England* that sent them. To this the Pope answered, That *Lewis* ought not to make War for what his Vassal had done, but to make his Complaint to himself, as his Superior Lord; To which *Lewis* his Commissioners replied, That it was the Custom of *France*, when ever any Vassal made War upon another, by authority of his Lord, he might make War upon him again, without complaining to his Lord. Then the Pope urged further, That the *English* Barons were *Excommunicated*, with all their Adherents, by which means *Lewis* would incur the Pain of *Excommunication* too, if he joined with them: To this his Commissioners said, He did not favour the Barons of *England*, but only prosecuted his own Right; and that he believed neither the Pope, nor Council, would *Excommunicate* any Man Unjustly, since at the time of declaring the Sentence, they knew not what Right their Master might have to the Kingdom of *England*.

Upon hearing the whole Matter, the Pope said, he would then determine nothing concerning it, untill he heard from his Legate *Guallo*. This was the Sum of the Discourse between the Pope and Prince *Lewis*'s Envoys, with their mutual Objections, Answers and Replies, which tho' long, and perhaps may seem tedious to some, yet since it contains the clear state of this Controversie, and many curious Points in the *Feudal* Law of that Age, I thought fit to set it down here at large.

[3] In the mean while, Prince *Lewis* made a great Incurſion into the East of *England*, viz. the Counties of *Essex*, *Norfolk*, and *Suffolk*, and miserably wasted them, putting a Garison into the Castle of *Norwich*, which *Thomas de Burgh* had deserted: This done, the *French* returned with great Booty and Spoils to *London*; where *Gilbert de Gant* came in to *Lewis*, and by him was girt with the Sword of the County of *Lincoln*, and made Earl thereof; and then was sent to block up the King's Forces in the Castles of *Nottingham* and *Newark*, for they had burnt all the Great Houses of the Barons in those Parts.

[4] At the same time, *Robert de Ros*, *Peter de Bruis*, and *Richard de Percie*, reduced the City and County of *York* to Prince *Lewis*'s Obedience; whilst *Gilbert de Gant*, and *Robert de Ropelley* took the City of *Lincoln*, with the County round about, except the Castle, and put them under Contribution: They also plundered *Holland*, and made it Tributary.

[5] In *July* the King of *Scots* invaded *England* afresh with his whole Army, and besieged the City of *Carlisle*, and took it about the beginning of *August*, all but the Castle, which he could not make himself Master of at that time.

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MCCXVI.

[1]

Id. p. 285.

[3]

Id. p. 285.

Prince *Lewis* makes an Incurſion into *Essex*, *Norfolk*, and *Suffolk*, and puts a Garison into *Norwich-Castle*.

[4]

Id. lb.

Several Barons reduce *Yorkshire* and *Lincolnshire* to Prince *Lewis*'s Obedience.

[5]

C. M.

The King of *Scots* again invades *England*, and takes *Carlisle*, but not the Castle.

Anno Dom.
MCCXVI.

[1]
M. P. p. 186.
Then marches
into Northum-
berland, and
subdues it for
Prince Lewis.

[2]
Id. ib.
Lewis being
reproved by
his Father for
not taking Do-
ver-Castle, he
marches again
to besiege it.

But it was so
well defended
by Hugh de
Burgh, that he
could not take
it.

And therefore
blocks it up.

[3]
Id. ib.
The Barons
make an Ex-
cursion, take
Cambridge,
and Plunder
Norfolk and
Suffolk.

And then be-
siege Windsor-
Castle, but
could not
take it.

[4]
Id. ib.
The K. upon
the Barons be-
sieging Wind-
sor-Castle,
marches about
the Countrey,
and destroys
their Estates.

The Barons
raise the Siege
of Windsor-
Castle, and
march to-
wards Cam-
bridge to sur-
prize the K.
who thereup-
on returns to
Stamford, and
from thence
towards Lin-
coln.

[1] Then marching forward into *Northumberland*, he subdued the whole County for Prince *Lewis*, excepting some Castles which *Hugh de Baliol* and *Philip de Hulecotes* Manfully defended; so that all these Counties were now become Subject, and had sworn Fealty to the Prince.

[2] About the Nativity of *St. John Baptist*, Prince *Lewis* being reproved by his Father, as if he were Unskilful in matters of War, because he had hitherto left *Dover-Castle* untouch'd, (being then accounted one of the strongest Fortresses in the Kingdom) he therefore marched with a strong Force to besiege it, having before sent to his Father for a great Engine, (which the *French* called a *Mal-voisin*) to cast Stones, with which, as well as with other Engines, the *French* were incessantly battering the Walls. But *Hubert de Burgh* with about an Hundred and Forty Knights and their Esquires, defended the Place with so much Courage, that they destroyed many of their Enemies, until the *Frenchmen* being sensible of their Loss, were forced to retreat to a further Distance. But Prince *Lewis* being cruelly vex'd at this Repulse, swore, That he would never quit the Siege till he had taken it, and Hanged all those that Defended it; and therefore blocking it up built great store of Huts before it, hoping to do that by *Famine*, which he was not able to compass downright by *Force*.

[3] At the same time a Party of the Barons made an Excursion into *Cambridgeshire*, wasted the whole Countrey, and took the Castle of *Cambridge*; and from thence they marched into *Norfolk* and *Suffolk*, and plundered them, with all the Churches, and forced the Towns of *Yarmouth*, *Dunwich*, and *Ipswich*, to most grievous Ransoms; and going back by *Colchester* they committed the like Outrages, and so returned to *London*, their old Retreat.

Some time after this, the Barons gathered together a great Force, under the Command of the Count of *Nevers*, and besieged *Windsor Castle*, wherein were Sixty Knights with their Followers; at which time the *French* applied their Battering Engines against the Walls, whilst the Besieged endeavoured to beat them off.

[4] Our Author farther relates, That so soon as King *John* knew *Dover* and *Windsor Castles* were besieged by the Barons, he, to divert them from it, drew out of his Garrisons a great Army, with which he marched furiously up and down the Countries for a Month together, Wasting their Lands, Burning their Houses, and Destroying all their Fruit and Corn: Insomuch, that at length he made an IncurSION into the Counties of *Norfolk* and *Suffolk*, and there laid wast the Estates of the Earl of *Arundel*, *Roger Bigod*, *William de Huntingfield*, and other Great Men.

Upon this the Barons perceiving they could not make any great Advance in the Siege of *Windsor Castle*, quitted it in the Night, and leaving their Tents and Engines behind them, marched with all the haste they could towards *Cambridge*, in order to shut up, and surprize the King, who was then harrassing the Country about the Sea-Coast of *Suffolk*; but he receiving Intelligence by his Scouts of their coming, went back again to *Stamford*, and from thence marched in great haste towards *Lincoln*, the Castle whereof was then besieged by *Gilbert de Gant*; but upon his approach, he fled with all his Forces as fast as he could.

The

The Barons having thus missed the King, plundered and wasted the Country, and returned to *London* with their Spoils; and there leaving a strong Garison, they marched to Prince *Lewis*, who was then employed in the Siege of *Dover-Castle*, whither [5] *Alexander* King of *Scots*, passing through *England* with his whole Army, came to wait upon him, and there did him Homage for the Lands he held in *England*, in the same Form as the Barons of *England* had done before; and then Prince *Lewis*, as well as the other Barons, Swore, That they would never make Peace with King *John*, without the King of *Scot's* consent: But to this Oath they were no Slaves, as you will find hereafter.

Anno. Dom.
MCCXVI.

The Barons having plundered the Country, returned to *London*, and thence march to the Siege of *Dover-Castle*.

[5] C.M.
P. 287.

Where *Alexander*, K. of *Scots*, meets Pt. *Lewis*, and does him Homage.

[1] M. P. 1b.
The Viscount of *Melun* upon his Death-Bed, discovers to the Barons Prince *Lewis's* Design to ruine them.

[1] For about this time, the Viscount of *Melun*, a *French* Nobleman that came into *England* before Prince *Lewis*, fell sick in the City of *London*, and when he found he had not long to live; he called to him some of the *English* Barons, that were posted there for the Security of the City; and told them, he was sorry for the Destruction and Ruine that was coming upon them, which they understood not, but he would reveal the Secret; and then acquainted them, That Prince *Lewis* with Sixteen Earls and Barons of *France* had sworn, That when he had Conquer'd *England*, and was Crown'd, he would for ever Banish all those that fought for him, and persecuted King *John*, as Traytors to the Realm, and would likewise destroy all their Posterity; and that they might not doubt the Truth of it, he affirmed upon the Word of a Dying Man, and as he hoped for Salvation, that he himself was One of those that had sworn with *Lewis*; yet he desired them not to make any Discovery of what he had said, but provide for their Safety as well as they could; and so presently after Died.

[2] When these Things were whisper'd amongst the Barons, they were highly Incensed, and not without Reason: For if this Relation were true, (as there was no great cause to distrust the words of a Dying Man) there cannot be an Instance of greater Falshood and Ingratitude, than this of Prince *Lewis* and his *French* Lords; and may serve as a Lasting Warning how the *English* ever call in too great a Number of *Foreigners* (especially *French*) be their Necessities never so Urgent; since it has been (I will not say always) the Custom of that Nation, not only to take a Pride in their own Chains, but in reducing their Neighbours to the same Condition with themselves; and indeed the Barons might very well have guess'd at Prince *Lewis's* Intentions, when he put *French* Governors into all the strong Places he took.

[2] Id. 1b.
Upon which the Barons were highly incensed.

But that which grieved them most, was, that he had stigmatized them with the odious Character of Traytors; and it added not a little to their Affliction that they were Excommunicated. Some of these reflecting upon their miserable Condition, thought of returning to their old Obedience: and tho' divers of them were afraid they had so highly provoked King *John*, that he would never accept of their Return; Yet the same Author relates, that no less than Forty of the Barons were about to quit Prince *Lewis*, and be reconciled to King *John*, not long before his Death.

Walter

Anno Dom.
MCCXVI.
Lewis's Affairs
but in a bad
Posture before
King John's
Death, and the
Reason.

Walter of Coventry represents Prince *Lewis's* Affairs to have been in no very good Circumstances at the time of King *John's* Death; so that he seemed not well pleased with his coming over into *England*, because he found things in a much different Posture than what he expected: for the Castles in the King's Power were many, and those well Fortified, and the greatest Part of the Kingdom was still under his Dominion; and tho' the King of *Scots* and the Barons of the *North* were for Prince *Lewis*, yet they were so divided from the Rest of their Party, that they could neither help them, nor receive any Assistance from them; insomuch that those who still adher'd to the King in those Parts, spoil'd their Estates at their Pleasure: Besides, the Prince found the *English* Fickle and Mutable, and that the *French* he had brought over with him were too few to Garrison, and Secure so great a Kingdom.

This was the true Reason, why he still kept himself near the Sea-Coasts, so that if any unexpected Disaster should happen, he might find the easier Passage back again. And thus stood Affairs till the sudden News of the King's Death rais'd the Spirits of those of *Lewis's* Party, as you will find anon; and therefore *Matt. Paris* also adds, That about this time, the Barons seeing themselves *Excommunicated*, and like to be deprived of their Honours and Estates, grew very Melancholly and Discontented; so that several of them thought of returning to their Allegiance to the King; and had actually done it, had they not believed the King's Temper to be so implacable as never to pardon them.

* Rot. Pat. 18
John.
Dr. Brady's
exact Account
of the King's
several Gifts
during the rest
of his Reign,
and Life.

He spends
most part of
the Summer
in the West.

And then coming to Oxford, passes thence thro' Berkshire, Bucks &c. as far as Lin.

And from thence in October arrives at Newark.

But it is high time to return to the small Remainder of this Unfortunate Prince's Reign, and of which it must be confess'd Dr. *Brady* gives us the best Light from the **Patent-Rolls* of this Year; That King *John* was busied in the *West* all this Summer, from almost the Beginning of *May* to the Beginning of *September*; yet by the Grants, Protections, and other things he then signed, we find he was in perpetual Motion, and very seldom stay'd more than Two or Three Days in a Place; as appears by the *Teste's* of these *Patents*, where the Place of his Abode is always expressed.

At the beginning of the Summer he was at *Winchester*, at the *Devises*, at *Bristol*, *Wells*, *Shirborn*, *Warham*, *Corf-Castle*, *Lutgarshal*, *Berkeley-Castle*, and many other Places in the *West*: And whilst he was there, *Lyn* in *Norfolk* served as a Place of Retreat or Defence to the Barons of his Party in those Countries; and there also without doubt he secur'd his Treasure, Crown, and all his Portable *Regalia*, as appears by the sequel of the Story.

We are likewise beholding to Doctor *Brady* for the exact Discovery of this King's Gifts, during his frequent Removes from Place to Place, all the rest of the Summer, and the Autumn following, when he left the *West* and came to *Oxford*; where after a short stay he went from thence in *September*, and passing through the Counties of *Berkshire*, *Buckinghamshire*, *Bedfordshire*, *Cambridgeshire*, and *Lincolnshire*, return'd to *Lyn*, which he had made before his Headquarters. Yet there he tarried not long neither, but going from thence by *Wisbitch* and *Slesford*, he arrived at *Newark-Castle* before the middle of *October*, as the Doctor also proves by the *Patent-Rolls* of this Year; some of which are mentioned in his History, and re-

cited

cited at large in the * *Appendix* to it. But they not being very *Ann. Dom.* material to our purpose, I refer the Inquisitive Reader to the Book *MCCXVI.* it self, and will proceed to finish the short Remainder of this King's *No. 137.* Reign.

'Tis very probable, that (as *Matt. Paris* reports) the Barons might rise from before *Windsor-Castle* about the Middle of September, and march after the King, from *Cambridge* to *Clare*; and from thence to *Cluam*, and so to *Bocking* in *Essex*, where he was on September the Twenty First; and that Day he might go cross the Countrey to *Royston*, and so to *Huntington* and *Stamford*, and from thence to *Lincoln*. *The K. comes in Autumn.*

The next Day, when he understood that the Barons had been withdrawn to *London*, and from thence to *Dover* to meet Prince *Lewis*; he came to *Spalding*, and so over the *Washes* to *Lin*, to fetch his Carriages and Treasure which he had laid up there, and to recruit his Army with such of his People that had fled thither. *The K. comes to Lin.*

Our Author tells us further, That whilst *Lewis* in vain besieged *Dover-Castle*, King *John* came into the Counties of *Norfolk* and *Suffolk*, and miserably wasted them; and going by *Peterburgh* and *Croyland*, plundered those Abbies; and at length, in his passage toward the North, he took his way through *Lin*: tho' this doth no ways agree with the Patent-Rolls, which say, He was at *Grimby* in *Lincolnshire* upon the Fourth of *October*; at *Spalding* in the same County upon the Seventh; at *Lin* on the Ninth and Eleventh; and at *Wibetich* on the Twelfth; from whence he went back to *Lin*, and went over the *Washes* on the Fourteenth of *October*, to *Swines-head Abbey*; and this indeed agrees with the latter Part of the Story in *Matt. Paris*, and the Patent-Rolls also.

[3] The King coming to *Lin* was received with great Joy by the Inhabitants there; but after a few Days stay he went away toward the North, and by the way lost all his Waggon, and Sumpter-Horses, with their Lading, and all his Treasure, and his Portable Regalia, which are called by *Rad. de Coggeshal*, his Moveable Chapel, (i.e.) the Furniture of it, with many Sacred Relicks, in the River called *Well-stream*: Where (says *Matt. Paris*) the Earth opened in the midst of the Floods, and they sunk down into the Gulf, both Men, Horses, and Carriages, only the King with his Army going before escaped: But notwithstanding this Monk's Tragical Description of this sad Accident, whereby he would make it a kind of a Miraculous Judgment; Yet in truth it was no more than that King *John* passing, with his Carriages over the *Washes*, between a Place called the *Cross-Keys* in the Marshland of *Norfolk*, and *Forsdike* in *Holland* in *Lincolnshire*, his Carriages being overtaken by the Tide, were lost in the Waters and Quicklands, as it is more truly related by the Abbot of *Coggeshal*. *[1] It. 16. The K. leaves Lin to march into the North. And loses all his Carriages and Treasure in passing over the Washes in Lincolnshire.*

[4] The King that Night got safe to *Swines-head Abbey*, and there Lodged; But with grief and anguish of Mind for the Loss of his Carriages, he fell into a Fever, which was much heightened that Night, by his Eating too many Peaches, and Drinking New Ale or Brackket: the next Morning he went from thence, but not being able to ride, he was carried in a Litter to *Sleaford-Castle*, from whence he proceeded in like manner with great Difficulty as far as *Newark*, where *[4] M. P. 16. The K. comes to Swines-head Abbey, and there falls sick of a Fever. And at Newark, Dies.*

Anno Dom. where falling also into a Flux, and his Feaver still increasing, he
MCCXVI Died on the Eighteenth of October, being St. Luke's Day.

I cannot here omit letting the Reader know, that some of our
Writers give a far different Account of the Manner of this King's
coming to his End, which they will needs have to have been by
Poyson: *Caxton* (our old Chronicler) is the first who in *Englisch*
hath told us this Story, and from him our more Modern ones,
such as *Speed* and *Baker* have borrowed it, to this Effect; That this
King, being at *Swines-head-Abbey*, and hearing it spoken how cheap
Corn then was, should say, *He would e'er long make it to be dearer,*
so that a Penny Loaf should be sold for a Shilling: At this Speech a
Monk there present took such Indignation, that he went and put
the Poyson of a Toad into a Cup of Wine, and brought it to the
King, telling him, There was such a rare Cup of Wine, as he had
never drunk in all his Life; and therewithal took the Assay of it
himself, which made the King drink the more boldly of it: but
finding himself presently very ill upon it, he asked for the Monk,
and when it was told him he was dead; Then (said the King) *God*
have mercy upon me, I doubted as much.

This is a very improbable Story, for a Man to Poyson himself only
to be revenged of another: But *Walter Hemingford* tells it a differ-
ent way, viz. That the Abbot persuaded the Monk to Poyson the
King, because he would have lain with his Sister; and that he did
it by a Dish of Pears which he Poyson'd, all, except Three, and
then making a Present of them to the King he bid him first taste
them himself, which he did, eating only those Three, that he
had marked; and so the King, eating heartily of the rest, was Poy-
son'd, and the Monk escaped. From whence you may observe, by
the different way of telling this Story, that there was at first no
other ground for it than an uncertain Tradition, or Report; for
besides the improbability of Poysoning a whole Dish of Pears, so
as not to be tasted nor perceived; I say, besides this, not one of the
Historians, that lived and wrote within Sixty years of that time,
mention any such thing; for *Thomas Wikes* is the first who in his
Chronicle relates it, and that too only as a Report, without say-
ing any thing of the manner how, which *Walter Hemingford* first re-
lated at large, and which *Ranulph Higden* in his *Polychronicon*, and
Henry de Knyghton copied from thence.

I should not have dwelt so long upon this Subject, had not such
noted Writers, as [5] * *Mr. Fox* and *Mr. Pryn* inserted it in their
Histories; who do both make great use of this Story to render the
Monks as odious for their Treachery, as for their other Vices: But
it is not my design to load any sort of Men more than I think they
truly deserve.

[5]
Vid. Acts, and
Monuments,
Vol. I. p. 356.

Pryn's History
of Papal Usur-
pations.

But let the manner of his Death be how it would, most of the
Historians agree, That before his Decease he by his Testament ap-
pointed *Henry* his Eldest Son (then a Child) to succeed him; and
ordered his Body to be buried in the Cathedral Church at *Worcester*,
which was done accordingly, tho' with little Funeral Pomp. His
Tomb with his Image upon it is still to be seen in the Choir of that
Church, notwithstanding the late Civil Wars, which have elsewhere
destroyed so many Noble Monuments of that kind.

Thus

Thus died this Unhappy Prince after Seventeen Years, Five *Anna Dom.* Months, and Four Days Reign: Which, tho' not very long, yet *MCCXVI.* must needs seem tedious enough to those that lived under it, who were never without continual Vexations either from Foreign or Domestic Wars; besides other great Grievances, proceeding from his frequent and arbitrary Taxes and Oppressions: Yet notwithstanding all these, he lost more Territories in Two or Three years, than all his Successors ever did in thrice that time; which might be well enough excused, had not those Misfortunes chiefly proceeded from his own want of Courage and Conduct, he scarce ever undertaking any Enterprize in due time, or pursuing it with that Diligence and Application which was requisite: but it would be well if this were the worst that could be said of this Prince; who (besides a comely Outside) had very few good Qualities to recommend him to the Affections of his Subjects, or the Admiration of future times.

I shall therefore give you his Character from [1] Sir Richard Baker, as being the shortest, and nearest the Truth, of any I can find, which is to this Effect; Concerning his Conditions it may be said, That his Nature and Fortune did not very well agree; for he Naturally loved his Ease, yet his Fortune was to be ever in Action; He vanquished more of his Enemies by Surprizes than by Battles; He was never so true to his word, as when he threaten'd, because he meant always as cruelly as he spoke, tho' not always so graciously as he promised; and he that would have known what it was he never meant to perform, must have considered what he promised: He was neither fit for Prosperity, nor Adversity, for the One made him Insolent, the Other Dejected; so that a Middle Fortune would have suited best with his Temper: He was all things by fits, sometimes very Religious, as appears by his building a Monastery at a Place called *Beau-lieu* in the *New-Forest*, for *Cistercian* Monks; at other times scarce a *Christian*, as appears by divers prophane Speeches related of him, amongst which I shall mention but this One; that having been a Hunting, at the opening of the Buck, he said, *See how fat this Deer is, and yet I dare swear, he never heard Mass.*

I should not have taken notice of this Story, had it not been cited by [2] Mr. Fox in his Book of *Martyrs*, as a very commendable Expression; as if it were a good Character in a Prince or any other Person to ridicule the Religion he profess'd. I shall pass by divers other Stories of the like kind, and go on to the farther Character of him: He was extreme greedy of Money, and tho' it was got with much ill will and clamour from his Subjects; yet it was commonly spent in silence, without any Honour to himself, or Benefit to the Nation: He was very intemperate in his Pleasures, exceeding his Father in his Lust, not sparing the Wives of Men of the best Condition; not that I give credit to all Relations of this Kind, some of which may be invented out of Malice; as that in particular, of his intending to Debauch the Wife of *Estace de Vesci*, by means of a Ring he borrowed of him; which tho' it be related in *Walter de Hemmingford's Chronicle*, and is borrowed from him by *Henry de Knighton*, yet besides that it is not men-

[1]
Vid. Baker's
Chronicle.

His Character.

[2]
Affs and Mem.
Vol. I. p. 256.

tioned by any Historian who lived near that time, the very Circumstances of the Story, render it incredible.

To conclude therefore; all I can say for him, is, that besides his own personal Failings, he had also the Misfortune to Reign at a time, when his Great Adversary, King *Philip of France*, was Wise, Valiant, and Successful. The Pope, whom he had chiefly to do with throughout his Reign, was *Innocent the Third*, a Prelate of a High and Ambitious Spirit; and who, by the Means of the King of *France*, had humbled not only this King, but *Otto* the Emperor, as you have already heard; and perhaps his Barons, with many of the Bishops, Clergy and People, were not only provoked by his constant Oppressions and Illegal Taxations of them, but being also sensible from his Carriage both in War and Peace, of how mean and unconstant a Spirit he was, they were from thence the more Emboldened to demand the Confirmation of those Antient Privileges and Liberties, which perhaps they would never presume to have done, had his Brother King *Richard* been still alive: and tho' the Monkish Writers of his Life and Reign may be too severe upon him, as to some particular Passages, yet we may be pretty well assur'd, that the Character we have now given of him is true in the main, as being founded upon clear and indisputable Matters of Fact.

Of King John's Wives, and Issue.

AS for the Wives of this King, you may remember that his first was *Hawis*, or *Avis*, Daughter and Heir to the Earl of *Glocester*; but being divorced from Her, he then married *Isabel*, Daughter to the Earl of *Angolesme*, by whom he had Issue, [3] *Henry*, the Eldest Son, afterwards King *Henry the Third*, who was born on Saint *Remigius's* Day, (that is, the First of *October*) in the year 1207.

[4] *Richard*, his Second Son, who was afterwards King of the *Romans*, and Earl of *Poitiers* and *Cornwal*, was born in the year 1208.

[5] As for his Daughters, [5] *Joane*, the Eldest, was married to *Alexander* King of *Scots*, in the Fifth Year of her Brother King *Henry's* Reign, *Anno Dom.* 1221. as all the Historians both *English* and *Scotish* agree.

[1] *Eleanor*, his Second Daughter, married *William Mareschal* the Younger, who died without Issue, *Anno Dom.* 1231. and she was then a Second time married to *Simon Montfort*, Earl of *Leicester*, on the Morrow after *Epiphany*, *Anno Dom.* 1238.

[2] *Isabel*, his Third and Youngest Daughter, was married to *Frederic* the Second, Emperor of *Germany*, at the Age of One and Twenty, on the 27th of *February*, *Anno Dom.* 1235.

His Base Issue.

HE had also by divers Mistresses several Base Children, whose Mothers are not particularly mention'd; *Richard* the Eldest, is no where taken notice of (as I know) unless by [3] *Matt. Paris*. As for the Second called [4] *Geoffrey Fitz-Roy*, I refer you for him to *Sanford's* Genealogical History; as I do also for *Joane* his Base-Daughter, that was married to *Llewellyn*, Prince of *North-Wales*.

Dr. *Brady* has also discovered Two other Sons of his, not mention'd by any other Authors, as he proves from the Records in the Tower, (*Viz.*) *Osbert* mention'd as King *John's* Son, in *Rot. Pat.* 17 *Johan.* Part 2. M.16; as also *Oliver* mention'd as such, in *Rot. Claus.* 1 *Hen.* 3. Part 2. M.23. and again as King *Henry's* Brother in *Rot. Claus.* 2 *Hen.* 3. Part 1. M.9.

[3] *P. 298. N. 40.*[4] *Vid. Sanford's Gen. Hist. p. 87.**His Taxes.*

AS for his Taxations, and Ways of raising Money, they were so many, so various, and so arbitrary, that it may be almost said, his whole Reign was but one continued Taxation and Oppression of his Subjects: But since Doctor *Brady* has given us a more exact Account of them, both from our Historians and Records, then any other Author, I shall make bold to transcribe his.

Soon after his first Coronation, which was on the Seven and Twentieth of *May*, *Anno Dom.* 1199. he had a *Scutage-Tax* of Two Marks of every Knight's Fee.

The next Year he had of every *Plough-Land* in *England*, Three Shillings.

In the Year 1201. he had Two Marks of every Knight's Fee, for *Scutage-Service*, of such as had his License to stay at home, upon Summons to pass beyond Sea with him.

In the Year 1203. he took a Seventh Part of all the Earls and Baron's Goods that left him in *Normandy*.

In the Year 1204. in a Parliament at *Oxford*, there was granted to him a *Scutage-Tax* of Two Marks, and Half of every Knight's Fee.

In the Year 1205. he Levied of the Earls and Barons, that would not follow him beyond Sea, according to their Tenures, a vast Sum of Money.

In the Year 1207. he took a Thirteenth Part of all the Moveables and other Things, as well of Laicks, as of Ecclesiasticks and Prelates; all of them murmuring, but none daring to contradict it.

In the Year 1210. he forced from the Abbots, Priors, Abbesses, *Templars*, *Hospitallers*, &c. One hundred thousand Pound, and from the *White-Monks*, or *Cistercians*, Forty thousand Pound more.

In the Year 1211. he had Two Marks *Scutage-Service* of every Knight's Fee, which furnished not out that Service to the Expedition of *Wales*.

In the Year 1214. he took of every Knight's Fee, of those that went not with him into *Poitou*, as well of Bishopricks in his hands, as of Wards and Escheats, Three Marks.

His Laws and Ordinances.

As for the Laws and Ordinances made and enacted by him, since they are the best Actions of his Reign, they are by no means to be passed by.

* Fol. 208.

The first Ordinance we find of this King, is in * *Matt. Paris*, under the Year 1202. when he caused to be proclaimed a Legal Assise of Bread, to be inviolably observed under pain of *Pillory*, as it was to be Tryed and Approved by the Baker of *Geoffrey Fitz-Peter*, Justiciary of *England*, and the Baker of *R. de Turnham*; it was to be so made, as that the *Bakers* might gain in every Quarter Three Pence, besides the Bran and Two Loaves at the Oven, with some small allowances for Servants, Salt, Yest, Fewel, and other Necessaries for the making it up, amounting in all to about Seven Pence: And according to this following Gain and Allowance, when Wheat was at Six Shillings the Quarter, a Farthing White Loaf well Baked, was to weigh Sixteen Shillings; and a Farthing Loaf of the whole Grain, that is Bran and all, as it came from the Mill, was to weigh Twenty Four Shillings: when Wheat was at Eighteen-pence the Quarter, then a Farthing White Loaf was to weigh Sixty Four Shillings; and a Farthing Loaf of the whole Grist, as it came from the Mill, was to weigh Ninety Six Shillings. This is the Highest and Lowest Price of Wheat mention'd in this Historian; and the Intermediate Price of Wheat, and the Assise did rise and fall, according as the Price of Wheat did, after the Rate of Sixpence in every Quarter; and this Assise was proclaimed through the whole Kingdom. This is Dr. *Brady's* Observation, and deserves to be taken notice of, because from the Dearness and Cheapness of Bread-Corn, the Prices of all other Provisions do commonly depend.

The Reader is to take notice, so that he might have a right Notion of these Vweights, mention'd in this Assise, that Silver being then but at Twenty-Pence an Ounce, every Pound, (being indeed a Pound weight) was then at the Value of Three Pound *Sterling* at this Day.

His favour to
the City of
London.
Vid. *Fabian's*
Chronicle.

* Coll. 2424.

He first gran-
ted to the
Cinque-Ports
their Privi-
leges.

He was also in the beginning of his Reign very favourable to the * *City of London*, and gave it the Liberty of altering their Mayor and Sheriffs every Year, which before continued during Life: He also gave them leave to chuse a *Common Council* of the most Substantial Citizens; and likewise, as * *Henry de Knighton* relates, he was the First King of *England*, who granted to the *Cinque-Ports* the Privileges and Customs which they now enjoy, and then held, on consideration that they obliged Themselves and their Heirs,

Heirs, to provide the King upon reasonable Summons Fourscore able Vessels at their own Charges, for the space of *Forty Days*, and after that to receive Wages of the King; but the Original Cause of this Grant, was, the great Necessity the King had of Shipping to pass into *Normandy* that Year he lost it, which was the Fourth of his Reign.

He also caused the *English* Laws and Customs to be Established in *Ireland*, and placed Sheriffs and other Officers in divers Parts of that Nation, who should Govern and Judge the People according to those Laws; and made *John Gray*, Bishop of *Norwich*, Justiciary there, who made the Money of *Ireland* of the same Weight with that in *England*, for the Conveniency of Traffick between the two Nations, as has been already taken Notice of in the History of his Reign.

He Established
the *English*
Laws in *Ire-*
land.

But the most considerable Law made by this King, was, that of the *Great Charter of Liberties and Forests*, which I have reserved for this Place, and have here transcribed Dr. Brady's Translation of it into *English*: only having added in the Margin such Additions as the Doctor hath made, which are not in the Latin Original; and whatsoever is printed in an *Italian* Character, and between these Marks [] are such Clauses as not being thought very Material, were omitted in the *Great Charter of King Henry the Third*, and all that follow'd: For though *Matt. Paris* assures us, that they were altogether the same, yet certainly he said this without due Consideration, for they differ'd in divers Particulars, as any one may observe, that will but take the Pains to compare them together. But I shall here give you the Charter it self at large, as it is Translated by Dr. Brady in his * *Appendix*.

His *Magna*
Charta, and
Charta de Fo-
resta.

* *Append. p. 116*

King

King John's Great Charter,

† Fol. 255. *As 'tis to be found in * Matt. Paris, and divided into Chapters.*

J O H N, By the Grace of GOD, King of England, &c. To the Archbishops, Bishops, &c. Know Ye that We, in the Presence of God, and for the Health of our Soul, and the Souls of all my Ancestors and Heirs, and to the Honour of God, and the Exaltation of Holy Church, and Amendment of our Kingdom, by Advice of our Venerable Fathers, Stephen Archbishop of Canterbury, Primate of all England, and Cardinal of the Holy Roman Church; Henry Archbishop of Dublin, William Bishop of London, Peter of Winchester, Jocelin of Bath and Glastonbury, Hugh of Lincoln, Walter of Worcester, William of Coventry, Benedict of Rochester, Bishops; and Master Pandulf the Pope's Sub-Deacon, and antient Servant, Brother to the Master of the Temple in England, and the Noble Persons William the Marechal, Earl of Pembroke, William Earl of Salisbury, William Earl of Warren, William Earl of Arundel, Alan de Galloway, Constable of Scotland, Warin Fitz-Gerard, Peter Fitz-Herbert, and Hugo de Burgh, * Seneschal of Poitou; Hugo de Nevil, Matthew Fitz-Herbert, Thomas Bisset, Alan Basset, Philip de Albiney, Robert de Ropelle, John Marechal, John Fitz-Hugh, and Others, our Liegemen; have first of all granted to God, and by this our present Charter confirmed for Us and our Heirs for Ever.

This Clause is wanting in Henry the Third's Charter.

I. That the English Church shall be Free, and Enjoy her whole Rights and Liberties unhurt; [and We will have them to be so observed, so as it may appear that the Freedom of Elections, which was reputed most necessary for the English Church, which we granted and confirmed by our Charter, and obtained the Confirmation of it from Pope Innocent the Third, before the Discord between Us and our Barons, was of our meer Free Will; which Charter of Freedom we shall observe, and do will it to be faithfully observed by our Heirs for Ever.]

II. We have also granted to all our Freemen of the Kingdom of England, for Us and our Heirs for Ever, all the Under-written Liberties, to have and to hold to Them and their Heirs of Us and our Heirs.

III. If any of our Earls, or Barons, or Others, who hold of us in chief by Military Service shall die, and at the time of his Death his Heir shall be of full Age, and owe a Relief, he shall have his Inheritance or Estate by the antient Relief; that is to say, the Heir or Heirs of an Earl, for a whole Earl's Barony, an Hundred Pounds; the Heir or Heirs of a Baron, for a whole Barony, an Hundred Marks;

Marks; The Heir or Heirs of a Knight for a whole Knight's Fee, an Hundred Shillings; and he that oweth less, shall give less, according to the antient Custom of Fees.

IV. But if the Heir of any such shall be under Age, and shall be in Ward, his Lord shall not have the Wardship of him, nor his Land, before he hath received his Homage; and after such Heir shall be in Ward, and shall attain to the Age of One and Twenty Years, he shall have his Inheritance without Relief, or without Fine: Yet so, that if he be made a Knight while he is under Age, nevertheless the Land shall remain in the Custody, or Guardianship of the Lord, until the aforesaid time.

V. The Warden, or Guardian of the Land of such Heir, who shall be under Age, shall take of the Land of the Heir, only reasonable Issues or Profits, reasonable Customs, and reasonable Services; and these without the destruction, or waste of the *Tenents, *H. minum.* or things upon the Estate: And if we shall commit the Guardianship of those Lands to the Sheriff, or any Other, that ought to answer to us for the Issues or Profits of the Land, and he shall make destruction and waste upon the Ward-Lands, We will force him to give Satisfaction, and the Land shall be committed to Lawful and Discreet Tenants of that Fee, who in like manner shall be answerable to us, as hath been said.

VI. But the Warden, so long as he shall have the Wardship of the Land, shall uphold and maintain the Houses, Parks, Warrens, Pools, Mills, and other things belonging to the Land, with the Profits of the same Land, and shall restore to the Heir, when he comes of full Age, his whole Land stocked with Ploughs and all other things, at least whatever he received; and all these things shall be observed in the Custody, or Wardship belonging to vacant Archbishopricks, Bishopricks, Abbies, Priories, Churches, and Dignities which do belong to us; except that these Wardships ought not to be sold.

VII. Heirs shall be Married without Disparagement; [** so that* *This is wanted in Henry the Third's Charter.* *before Matrimony shall be contracted, Those who are nearest to him in Blood shall be acquainted with it.*]

VIII. A Widow, after the Death of her Husband, shall forthwith, and without any difficulty, have her Marriage-Goods, and her Estate of Inheritance; nor shall she give any thing for her *Dower [*or Marriage-Goods*] and Inheritance, which her Husband and she held at the day of his Death: and she may remain in the Capital Messuage, or Mansion-House of her Husband, by the space of Forty Days after his Death; in which time her Dower shall be Assigned, if it was not Assigned before, unless the House shall be a Castle; and if she departs from the Castle, there shall be forthwith a Competent Dwelling provided for her, in which she may decently remain until her Dower be Assigned, as hath been said; and she shall have her reasonable Estovers [*i.e. competent Provision or Maintenance*]

tenance] in the mean time out of the Common Stock or whole Revenue; and there shall be Assigned to her for her Dower the Third Part of the whole Land of her Husband, which was his in his Life time, except she was Endowed with less at the Church-Door.

IX. No Widow shall be distreined (i.e. compelled by taking her Goods) to Marry her self, so long as she will live without an Husband; yet so as she shall give Security that she will not Marry without our Consent, if she holds of us; or without the Consent of the Lord of whom she holds, if she hold of another Person.

X. But We, or our Bayliffs, will not seize any Land or Rent for any Debt, so long as there shall be Chattels (i.e. Goods) of the Debtors upon the Premises, sufficient to Discharge it, and that the Debtor be ready and willing to satisfy it: Nor shall the Sureties of the Debtor be distreined, so long as the Capital Debtor be able to pay the Debt.

XI. And if the Principal, or Chief Debtor makes default in payment of the Debt, not having wherewithal to satisfy it, or will not satisfy it when he is able; then the Pledges or Sureties shall answer it, and they shall have the Lands and Rents of the Debtor, until they shall be satisfied for the Debt they paid for him; unless the chief Debtor can shew himself discharged thereof, against those Pledges.

These two Chapters concerning Debts to the Jews are omitted in Henry the Third's Charter.

XII. [If any one have borrowed any thing of the Jews, more or less, and dies before the Debt be paid, there shall be no Use paid for that Debt, so long as the Heir is under Age, of whomsoever he holds: And if the Debt falls into our Hands, we will take only the Chattle contained in the Charter or Instrument.]

XIII. [If any one shall die indebted to the Jews, his Wife shall have her Dower, and pay nothing of that Debt; and if the Deceased left Children under Age, they shall have Necessaries provided for them according to the Tenement (i.e. the Real Estate) of the Deceased, and with the Residue or Overplus the Debt shall be paid; saving the Service of the Lords on whom this Tenement is holden: In like manner the Debts due to other Persons than Jews shall be satisfied.]

XIV. I will not impose or levy any Scutage or Aid in our Kingdom, without the Common Advice or Council of our Kingdom, unless to redeem our Body, and to make our Eldest Son Knight, and once to marry our Eldest Daughter; and for this there shall only be paid a reasonable Aid.

This is not in Henry the Third's Charter.

XV. [In like manner it shall be concerning the Aids of the City of London; and] the City of London shall have all its Antient Liberties and Free Customs, as well by Land as by Water.

XVI. Further-

XVI. Furthermore, We Will and Grant, that all other Cities and Burghs, and Towns, and Barons of the *Cinque* (or *Five*) Ports, and all other Ports, shall have all their Liberties and Free Customs: and shall have the Common Council, or Advice of the Kingdom concerning the Assessment of their Aids, [** i.e. shall send their Representatives or Commissioners to the Common Council of the Kingdom*] otherwise than in the three Cases aforesaid.

Note, This is Dr. Brady's Paraphrase upon this Clause.

XVII. [*And for the Assessing of Scutages, we shall cause to be Summoned the Archbishops, Bishops, Abbots, Earls, and great Barons of the Kingdom, singly and personally by our Letters, (i.e. Writs.)*]

These three next Chapters concerning Assessing Scutages, and Summoning the Tenents in Capite, are omitted in the Charter above mentiond.

XVIII. [*And furthermore, We shall cause to be Summon'd in general by our Sheriffs and Bayliffs, all Others who hold of us In Capite, at a certain Day, that is to say, Forty Days (i.e. before their Meeting) at least, to a certain Place; and in all Writs of such Summons, we will declare the Cause of it.*]

XIX. [*And Summons being thus made, the Business mentioned in them shall proceed, according to the Advice of such as shall be present, although all that were Summon'd come not.*]

XX. We will not for the future Grant to any One, that he may take Aid of his own Free-Tenents, unless to **redeem his Body*, and to make his Eldest Son a Knight, and once to marry his Eldest Daughter, and for this there shall only be paid a reasonable Aid.

** i.e. Being taken Prisoner.*

XXI. No Man shall be distreined to perform more service for a Knight's Fee, or other Free Tenement, than what is due from it.

XXII. Common Pleas shall not follow our Court, but shall be holden in some certain Place: **Tryals upon the Writs of Novel Disseisin, Death of the Ancestor, and of last Presentment [to Benefices]* shall not be brought but in their **proper Counties*, and after this manner: We, or (if we shall be out of the Kingdom) our Capital or Chief Justiciary, shall send our Justiciaries through every County once in a Year, who with the Knights of the Counties shall hold the aforesaid Assizes in those Counties.

** In Civitatibus suis, says Matt. Paris; but falsely.*

XXIII. And those things, which, at the coming of the Justices so sent into the Counties, to take or hold the said Assizes, cannot be determined, shall not be determined otherwise in their Circuit or Itiner: And those things which for the difficulty of some Articles, cannot be determined by those Justices, shall be referred to our Justices of the Bench.

XXIV. Assizes of the last Presentation of Churches shall always be taken before the Justices of the Bench, and there determined.

XXV. A Freeman shall not be amerced for a small Fault, but according to the manner of the Fault, and for a great Crime, according to the Heinousness of it, **Saving his Contenement, (or Livelihood)* and after the same manner a Merchant, saving his Ability to Trade or Merchandize.

** Salvo Contemto nemento suo.*

XXVI. And a Villain [*i.e. a Rustick or Husbandman*] of any other then our own, shall be amerced after the same manner, saving his *Wainage*, [*i.e. his Carts and Implements*] to Till his Land, if he falls under our Mercy; and none of the aforesaid *Amerciaments shall be set, but by the Oath of Twelve Knowing and Lawful Men of the *Vicinage*, of the County.

* *Misericordiarum.*

XXVII. Earls and Barons, shall not be amerced but by their Peers, and only according to the Quality of the Crime or Offence.

XXVIII. No Ecclesiastick Person shall be amerced according to the Quantity of his Benefice, but according to his Lay-Tenement, and the Greatness of his Offence.

XXIX. Neither a Town, nor any particular Person shall be distressed to make Bridges *over Rivers, unless that Antiently and of Right they ought to do it.

* *Ad Riparias.*

XXX. No River for the future shall be imbanked [*i.e. kept in with Banks*] but what was imbanked in the time of King Henry our Grandfather.

* *Balivi.*

XXXI. No Sheriff, Constable, Coroner, or other *Officer of ours shall hold Pleas of the Crown.

Omitted in Henry the Third's Charter.

XXXII. [*All Counties, Hundreds, Wapentachs and Tythings, shall stand at the old Farm, without any Increase, except in our Demesne Lands.*]

* *i.e. His Executors or Administrators, as appears by the next Clause.*

XXXIII. If any one that holds of us a Lay-Fee dies, and the Sheriff, or our Bailiff, shew our Letters Patents of Summons concerning the Debt due to us from the Deceased, it shall be Lawful for the Sheriff, or our Bailiff, to Attach and Register the Chattels of the Deceased found upon his Lay-Fee, to the value of the Debt by the view of Lawful Men, so as nothing be removed, untill our whole Debt be paid, and the rest shall be left to the Executors, to fulfill the Will of the Deceased; and if there be nothing due from him to us, all the Chattels shall remain to the *Deceased, saving to his Wife and Children their reasonable Shares.

Omitted in the Charter last mention'd

XXXIV. [*If any Freeman dies Intestate, his Chattels shall be distributed by the hands of his nearest Relations and Friends by view of the Church, [i.e. the Ordinary] saving to every one his Debts, which the Deceased owed.*]

* *i.e. Of a Castle, by what follows.*

XXXV. No *Constable or Bailiff of ours, shall take Grain, or other Chattels of any Man, who is not of the Town where the Castle is, unless he presently gives him Money for it, or hath respite of Payment from the Seller: But if he be of the same Town, he shall pay him within Forty days.

XXXVI. No

XXXVI. No Constable shall distrein any Knight to give Money for *Castle-Guard*, if he will perform it in his own Person, or by another able Man, if he be hindered by any reasonable Cause.

XXXVII. And if we shall lead him, or if We shall send him into the Army, he shall be free from *Castle-Guard*, according to the time he shall be in the Army, by our Command, for the Fee, for which he performed his Service in the Army.

XXXVIII. No Bailiff of ours, or Sheriff, or other, shall take Horses or Carts of any one to convey our Goods, unless he shall pay according to the Rate antiently appointed; That is to say, for a Cart and Two Horses Ten Pence a Day; and for a Cart with Three Horses Fourteen Pence a Day.

XXXIX. No Demesne Cart of an Ecclesiastical Person, or a Knight, or Lady, shall be taken by our Officers; neither shall We or our Officers, or Others, take any other Man's Timber or Wood for our Castles, or other uses, unless by the consent of the Owner.

XL. We will retain the Land of those that are convicted of Felony but one Year and one Day, and then they shall be render'd to the Lord of the Fee.

XLI. All * *Weres* for the future shall be demolished in the Rivers ^{*Kidell.*} of *Thames* and *Medway*, and through all *England*, unless upon the Sea-Coast.

XLII. The Writ, which is called *Præcipe*, for the future shall not be granted to any one of any Tenement, whereby a Freeman may lose his Cause.

XLIII. There shall be one Measure of Wine and Ale through our whole Kingdom, and one Measure of Grain; that is to say, the *London-Quarter*; and one Breadth of died Cloaths, and Ruffets, and * *Haberjets*; That is to say, Two Ells within the List; and the ^{*A sort of Coarse Cleath.*} Weights shall be as the Measures.

XLIV. Nothing shall be given or taken for the future, for a Writ of *Inquisition*, from him that desires an *Inquisition* of Life or Limbs, but shall be granted *gratis*, and not denied.

XLV. If any one holds of us by *Fee-Farm*, *Soccage*, or *Burgage*, and holds Lands of another by *Military Service*, We will not have the Wardship of the Heir or Land, which belongs to another Man's Fee, by reason of what he holds of us in *Fee-Farm*, *Soccage*, or *Burgage*: Nor will We have the Wardship, or Custody of the *Fee-Farm*, *Soccage*, or *Burgage*, unless the *Fee-Farm* is bound to perform *Military Service*.

XLVI. We will not hold the Wardship of an Heir, nor any Land, which he holds of another by *Military Service*, by reason of
VohII. Y y y y 2 any

any *Petit*, or small *Serjeanty*, he holds of us, as by the Service of giving us Daggers, Arrows, or the like.

XLVII. No Bailiff, or Officer for the future, shall bring any Man under the Sentence of the Law, nor to his Oath, (i.e. *Canonical Purgation by his Oath*) upon his single Accusation or Testimony, without credible and honest Witnesses produced to prove it.

XLVIII. No Freeman shall be taken, or imprison'd, or disseised of his Free-Tenement, or Liberties, or Free Customs; or Outlaw'd, or Banished, or any way destroy'd; nor will we pass upon him, or commit him to Prison, unless by the Legal Judgment of his Peers, or by the Law of the Land, (i.e. by *Legal Process*, &c.)

XLIX. We will not sell to any Man, we will not deny any Man, or delay Right, or Justice.

L. All Merchants, unless they be publickly prohibited, shall have safe and secure Conduct to go out of, and come into *England*, and to stay there, and to pass as well by Land as by Water, to buy and sell by the antient and allowed Customs, without any *Maletolts*, (i.e. *Illegal Exactions*) except in time of War, or when they shall be of any Nation in War with us.

LI. And if there be found such [*Merchants*] in our Land in the beginning of a War, they shall be attached or secured, without damage to their Bodies or Goods, untill it may be known to us, or our chief Justiciary, how our Merchants are dealt with in that Nation in War with us; and if Ours be safe there, they shall be safe in our Land.

This Chapter is omitted in Henry the Third's Charter.

LII. [*It shall be Lawful for any one for the future to go out of our Kingdom, and return safely and securely by Land or by Water, saving his Faith or Allegiance to us; unless in time of War by some short space for the common Profit of the Kingdom; except Prisoners and Out-Laws, (according to the Law of the Land) and People in War with us, and Merchants who shall be in such condition as aforesaid.*]

LIII. If any Man holds by any *Escheat*, as of the Honour of *Wallingford*, *Bologne*, *Lancaster*, *Nottingham*, or by other *Escheats*, which are in our hands, and are Baronies, and dies, his Heir shall not give any other Relief, or perform any other Service to us, than he did to the Baron, if the Barony had been in possession of the Baron; and We will hold it after the same manner the Baron held it; nor will we by reason of such Barony, or *Escheat*, have any *Escheat*, or Wardship of any of our Men, unless he that held the Barony or *Escheat*, held of us in *Capite* in another Place.

This and the next Chapter are omitted in Henry the Third's Charter.

LIV. [*Those Men who dwell without the Forest, for the future shall not come before our Justices of the Forest upon common Summons, but such as were concern'd in the Controversie, or were Pledges for any that were attached for something concerning the Forest.*]

LV. All

LV. [*All Woods that were taken into the Forest by King Richard our Brother, shall forthwith be laid out again, unless they were our Demefne Woods.*]

LVI. No Freeman for the future shall give or sell any more of his Land, but so that out of the Residue, the Service due to the Lord of the Fee may be sufficiently perform'd.

LVII. All Patrons of Abbies, who have Charters of the Kings of England of the Advowson, or by any antient Tenure or Possession, may have the Custody of them when void as they ought to have, and as was declared before.

LVIII. No Man shall be taken or imprison'd upon the Appeal of a Woman for the Death of any other Man, than her Husband:

LIX. No County-Court for the future shall be holden, but from Month to Month; and where there used to be a greater space let it be so continued.

LX. Neither any Sheriff, nor his Bailiff shall keep his Torne oftner than Twice in a Year, and only in the accustomed Place; That is to say, once after *Easter*, and once after *Michaelmas*; and the View of *Franc-Pledges*, (or Sureties for the Peace of the Freemen one for another) shall be held after *Michaelmas*, * without Oppres- ** Sine Occasione.* sion, and so that every one shall have his Liberties, which he had and was wont to have in the time of King *Henry* our Grandfather, or such as he obtained afterwards.

LXI. But the View of *Franc-Pledge* shall be so made, that our Peace may be kept, and that the *Tything* be whole and full, as it wont to be.

LXII. And that the Sheriff shall not * seek causes to oppress any ** Non quærat.* Man, but he shall be content with what the Sheriff was wont to have for making his View in the time of King *Henry* our Grandfather.

LXIII. For the future it shall not be Lawful for any Man to give his Land to a Religious House, so as to take it again, and hold it of that House.

LXIV. Nor shall it be Lawful for any Religious House to receive Land, so as to grant it to him again of whom they received it, to hold of Him. If any Man for the future shall so give his Land to a Religious House, and be convicted thereof, his Gift shall be void, and the Land shall be forfeit to the Lord of the Fee.

LXV. *Scutage* for the future shall be taken as it was used to be taken in the time of King *Henry* our Grandfather; and that the Sheriff shall vex no Man, but be content with what he was wont to receive.

LXVI. All

LXVI. All the aforesaid Customs and Liberties, which We have granted to be holden in our Kingdom, as much as belongs to us towards our Men of the Kingdom, Our Clerks and Laicks we shall observe, as much as it shall belong to Us, towards all the Men of our Kingdom.

LXVII. Saving to the Archbishops, Bishops, Abbots, Priors, Templars, Hospitallers, Earls, Barons, Knights, and all Others, as well Ecclesiasticks, as Seculars, the Liberties and Free Customs, which they had before; These being Witnesses, &c.

King John's Charter of Forests,

As it is to be found in Matt. Paris, Folio 250. Translated and Divided into Articles or Chapters, from Dr. Brady's Translation in his Appendix, N^o. 113. p. 141.

JOH N, By the Grace of GOD, King of *England, &c.* Know ye that for the Honour of God, and the Health of our Soul, and the Souls of our Ancestors and Successors, and for the Exaltation of Holy Church, and the Amendment of our Kingdom, we have of our Free and Good Will given and granted for Us and our Heirs, these Liberties underwritten, to be had and observed in our Kingdom of *England* for ever.

I. First of all, Whatsoever Forests our Grandfather King *Henry* made Forest or Afforested, shall be viewed by Knowing and Lawful Men; and if he turned any other than his own proper Wood into Forest, to the Damage of him whose Wood it was, it shall forthwith be laid out again and disforested: And if he turned his own Woods into Forest, they shall remain so, saving the Common of Herbage in the same Forest to those who were formerly wont to have it.

* *Sint in Placito.*

II. They who dwell without the Forest for the time to come, shall not upon Common Summons appear before our Justices of the Forest, unless they shall *be impleaded, or are Pledges or Sureties, for such as are attached or arrested for any matter concerning the Forest: But all Woods that were turned into Forest by our Brother King *Richard*, shall be forthwith disforested, unless they are our own Demesns.

III. The Archbishops, Bishops, Abbots, Priors, Earls, Barons, Knights, and Free Tenants, who have Woods in any Forest, shall have their Woods as they had them at the time of the first Coronation of our said Grandfather King *Henry*, so as they shall be discharged

charged for ever of all **Purprestures*, Wastes, and †*Affarts*, made * i.e. Encroachments upon the Kings Lands or Highways. in those Woods, after that time, to the beginning of the Second year of our Coronation, and those who for the time to come shall make Waste, *Purpresture* or *Affart* in those Woods, without our License, shall answer for them.

IV. Our Regarders or Viewers, shall go through the Forests to make a View or Regard, as it was wont to be at the time of the first Coronation of our said Grandfather King *Henry*, and not otherwise. † i.e. grubbing up Wood and turning it into Arable Land without License.

V. The Inquisition or View for **Lawing* of Dogs, which are kept within the Forest, for the future shall be when the Regard is made, that is, every three Years, and then it shall be done by the View and Testimony of Lawful Men, and not otherwise; and he whose Dog at such time shall be found Unlawed, shall be punished Three Shillings; and for the future no Oxe shall be taken for *Lawing*, and such *Lawing* shall be according to the Common Assise or Establishment, so as therefore the Claws of the Dog's Foot shall be cut off, or the Ball of his Foot cut out. And for the future Dogs shall not be Lawed, unless in such Places where they were wont to be Lawed in the time of King *Henry* our Grandfather. * Called in Latin *Expedicatio*.

VI. No Forester or **Bedell* for the time to come shall make any †*Ale-shots*, or Collect Sheafs of Corn, or Oats, Wheat, or Lambs or Pigs, nor shall make any gathering or imposition whatsoever, but by the view and Oath of Twelve Regarders; and when they make their Regard or View, so many Foresters shall be appointed to keep the Forests as they shall reasonably think sufficient. * i.e. Bayliff in a Forest. † *Scotallum*.

VII. No *Swainmote* for the time to come shall be holden in our Kingdom oftner than thrice in one Year; That is to say, in the beginning of Fifteen days before St. *Michael*, when the Agisters come to agist the Demesne Woods, and about the Feast of St. *Martin*, when our Agisters ought to receive their **Pannage*, and in those two *Swainmotes*, the Foresters, Verderers, and Agisters shall meet, and no other by compulsion or distress; and the third *Swainmote* shall be holden in the beginning of the Fifteen days before the Feast of St. *John Baptist*, concerning the Fawning of our Does, and at this *Swainmote* shall meet the Foresters and Verderers, and no others shall be compell'd to be there. * i.e. Money for the feeding of Hogs with Mast in the King's Forests.

VIII. And furthermore every Forty days throughout the whole Year, the Verderers and Foresters shall meet to view the Attachments of the Forest, as well of **Vert*, as Venison, by presentment of the Foresters themselves; and they who committed the Offences, shall be forced to appear before them: But the aforesaid *Swainmotes* shall be holden but in such Counties as they were wont to be holden. * i.e. The Offences that have been committed in cutting of Wood or killing Deer.

IX. Every Freeman shall **Agist* his Wood in the Forest at his pleasure, and shall receive his *Pannage*. * i.e. Shall take in Agistments of his Neighbour's Cattle.

X. We grant also, That every Freeman may drive his Hogs through our Demesne Woods, freely and without impediment, and may

may agift them in his own proper Woods, or elsewhere as he will; and if the Hogs of any Freeman shall remain one Night in our Forest, he shall not be troubled for it, so as to lose any thing, (*i.e.* Pay any thing) for it.

* *i.e.* Fined.

XI. No Man for the time to come shall lose Life or Limb for taking our Venison; but if any one be seized and convicted of taking Venison, he shall be grievously * Punished, if he hath where-withal; and if he have not, he shall lie in our Prison a Year and a Day; And if after that Time he can find Sureties, he shall be released; if not, he shall abjure our Kingdom of *England*.

XII. Every Archbishop, Bishop, Earl, or Baron, coming to us at our Command, and passing through our Forest, may Lawfully take one or two Deer by view of the Forester if present; if not, he shall cause a Horn to be sounded lest he should seem to steal them; also in their return, they may Lawfully do the same thing.

XIII. Every Freeman for the time to come may erect a Mill in his own Wood, or upon his own Land, which he hath in the Forest; or make a Warren, Pool or Pond, a Marl-pit, or Ditch, or turn some of it into Arable, without the Covert in the Arable Land, so as it be not to the Nuisance of his Neighbour.

XIV. Every Freeman may have his Woods, the Ayries of Hawks, of Spar-Hawks, Falcons, Eagles, and Herons; and they shall likewise have the Honey which shall be found in their Woods.

* *i.e.* Money for passing through the Forests.

XV. No Forester for the future, who is not a Forester in Fee, paying us Rent for his Office, shall take * *Chiminage*; That is to say, for every Cart Two Pence for half a Year, and for the other half Year Two Pence; and for a Horse that carries Burthens, for half a Year One Halfpenny; and then only of those, who come as Buyers out of their Bayliwick, or Liberty, to buy Underwood, Timber, Bark, or Char-coal, to carry it to sell in other Places, where they will: And for the future there shall be no *Chiminage* taken for any other Cart, or Horse-load, unless in those Places, where antiently it was wont, and ought to be taken; but they who carry Wood, Bark, or Coal, upon their Backs to sell, although they get a Livelihood by it, shall for the time to come pay no *Chiminage*: But for Passage through the Woods of other Men, no *Chiminage* shall be given to our Foresters; but only in or from our own Woods.

XVI. All Persons Outlaw'd for Offences committed in our Forests from the time of King *Henry* our Grandfather, untill our first Coronation, may Reverse their Out-Lawries without Impediment, but shall find Pledges that for the time to come they will not forfeit to us, (*i.e.* Commit any Offence) in our Forest.

* *i.e.* May seize the Body or Goods of the Offenders to make them appear.

XVII. No Castellan, or Constable of a Castle, or other Person, shall hold Pleas of the Forest, whether Vert or Venison: But every Forester in Fee shall * Attach Pleas of the Forest, as well concerning Vert

Vert as Venison, and shall present the Pleas or Offences to the Ver-
 derers of the several Counties, and when they shall be introlled
 and wrapped in Wax, under the Seal of the Verderers, they shall
 be presented to the Chief Forester, when he shall come into those
 Parts, to hold Pleas of the Forest, and shall be determined before him.

XVIII. And all the Customs and Liberties aforesaid, which we
 have granted to be holden in our Kingdom; as much as it belongs
 to us towards *our Subjects or Vassals, all our Kingdom, as well Laicks **Nostris*
 as Clercs, shall observe as much as it appertains to them, towards
 *their Tenents or Vassals. *Sue.*

There are also several other Clauses properly belonging to this
 Charter, which are only to be found in the Originals, in the *Cottonian*
 Library, and in the Archives of the Dean and Chapter of *Salisbury*,
 or else in some antient Copies, as that in the Lord Archbishop's
 Library at *Lambeth*; all which being only temporary, were left out
 in all the Confirmations of the Great Charter by King *Henry III.*
 and were either never seen, or else were not thought by *Matt. Paris*
 worth the inserting into his Copy of King *John's* Charter; and for
 that Reason I have also omitted them in this Translation: But in
 the Appendix to this Volume, I have printed this Charter at large
 from the above-mentioned Original, that the more Learned and
 Curious Readers may see the great difference between this of King
John, and those granted by his Son; notwithstanding **Matt. Paris*, *P. 311.*
 or rather *Rog. of Wendover's* so positively asserting, that the Charters
 of both Kings *are in nothing found unlike each other: But of *In nulla inveniuntur diffini-*
 the Differences between them I shall say more, when I come to *les.*
 the end of *Henry the Third's* Reign: And to which I had once resolv'd
 to have referr'd this present Translation of the Charter of *Forests*,
 since there is no Original of it now extant, nor any antient MS.
 Copies to be found, except what are in the Manuscript of *Rog. Wen-*
dover in the *Cottonian* Library, and in the several antient Copies of
Matt. Paris's History, both there and elsewhere; but whether those
 were ever transcribed from any Originals, or authentick Copies of
 any Charters granted by King *John* may well be doubted; for be-
 sides the Reason already given, there is this to be said further, that
 the most considerable Clauses relating to *Forests* are inserted at the
 End of King *John's* Original Charter of Liberties, which had been
 needless to have been put into a Charter on purpose, if that the
 same things had been already granted before: But as for that long
 Clause in *Matt. Paris* at the end of the Charter of *Forests*, concern-
 ing appointing Twenty Five Barons to see these Charters observed,
 and the Power of resisting the King which was thereby reserved to
 the Community of the Kingdom in case he broke them, and being ad-
 monished refused to attend his Error; These are to be found *Verba-*
tim in the *Charter* of King *John* in the Appendix, as any one may
 see who will but take the pains to compare *Matt. Paris's* Copy with
 that. But be it as it will, since I find this Charter of *Forests* in *Matt.*
Paris under King *John's* Name, and reputed to be his, I have pub-
 lished it here, without determining any thing positively in a Matter
 so doubtful and uncertain.

I shall now only warn the Reader, that the Original Charter of King John, which is now in the Custody of the Right Reverend and most Learned the Lord Bishop of Salisbury, is not *Magna Charta* properly so call'd, but only the first Draught, or Heads thereof, under his Great Seal, it not being so large and particular as that; as any one may see who has the Opportunity to compare them.

T H E
General History
O F
ENGLAND
B O T H
Ecclesiastical and Civil.

V O L. II. B O O K VIII.

Containing the Reign of K. Henry III.

KING *John's* unexpected Decease proved a great Advantage to the Young Prince *Henry* his Son, to whom the Affections of most of the Nobility, Clergy, and People of the Kingdom then inclined, not only because of the dying Words of the *Viscount of Melun*, already mentioned in the last Reign, but also because they were weary of the *French* Insolence; and I am much of Doctor *Brady's* Opinion, that one great motive of the Nobilities then returning to their Duty might be, that they saw the King had disposed of the Estates of those who held of him *in Capite* to others that had continued his Loyal Subjects; and the Dr. there gives us some Examples in his *Appendix, of such Grants which are upon Record in the *Tower*; *N. 138. yet whether they might not have had a contrary effect upon those whose Lands were already disposed of, is not worth disputing: But to proceed;

[1] So soon as the Death of King *John* was publickly known, and that the Earls, Bishops, and Barons who remained firm to the late King, could agree where to meet, (which was by the Summons of the Earl-Mareschal) they all assembled at *Glocester*, whether the Earl had brought *Henry*, Eldest Son to the late King; being but then in the Tenth Year of his Age, and having placed him in the midst of the Assembly, he made a Speech to them, beginning with, *Behold our King*; and after a short Pause went on thus; *My dear*
Vol. II. Z z z z z Friends,

*Anno Domini
MCCXVI.*

The Reasons why the greatest Part of the Nation after the Death of K. *John* joined with *Henry* his Son, tho' a Child.

[1] *Crbn. Wal. Hemingford L. 3. The Earls, Bishops, and Barons, are summoned to Glocester to the Coronation of the Young King.*

Anno. Dom. Friends, altho' we have persecuted the Father of this Child, and that per-
 MCCXVI. haps Justly, for his Evil deeds, yet since his Son is Innocent from his Fa-
 The Earl. Ma- ther's Faults, and that for every offence none ought to be answerable but he
 reischal's. that commits it, since the Lord hath said, That the Son shall not bear the
 Speech to per- Iniquity of the Father, we ought therefore to have pity upon the tender
 suade them to Age of this Innocent Prince; now inasmuch as he is the King's Son, and
 make young is to be our Lord and Successor of the Kingdom, Come, Let us make
 Henry their K. him King over us, and let us expell Lewis, Son to the King of
 France, and his People out of our Country, and so let us take away
 the Reproach of our Nation, by breaking the Yoke of so unjust a Servitude.
 This Proposal (says my Author) was at first opposed by the Earl of
 Gloucester, or rather Chester, (for the Earldom of Gloucester was then
 in the Crown;) but at last they agreed, as if they had been divinely
 inspir'd, crying, *Let him, * Let him be made King:* And upon this,
 they appointed St. Simon and Jude's Day for his Coronation; in
 which Relation, tho' this Author be out in the Place of this So-
 lemnity, making it to be at London instead of Gloucester, yet he is
 the only Writer who gives us an Account of the Manner of this
 King's Election, some days preceding his Coronation, which was
 perform'd in the manner following.

Which is at
 last agreed to
 by all there
 present.
*Fiat Rex, fiat
 Rex.*

[2]
M. Paris, p. 289
 A large Ac-
 count of his
 Coronation.

[2] On the Eve of St. Simon and Jude, (Eight days after the
 Death of King John) Guallo the Pope's Legate, Peter Bishop of Win-
 chester, Jocelin Bishop of Bath, Silvester Bishop of Worcester, Ranulph
 Earl of Chester, William Mareschal Earl of Pembroke, William Earl of
 Ferrars, John Mareschal, and Philip de Albiney, with the Abbots, Pri-
 ors, and a great Multitude of others, assembled at Gloucester, to ad-
 vance Henry the Eldest Son of King John to the Crown of England.
 From whence you may observe, that Roger of Wendover (from whom
 Matt. Paris transcribed this Relation) did then suppose, that this
 Prince was not a compleat King till his actual Coronation, nor could
 he indeed pretend to any better Title to the Crown than his Father
 had before, (*viz.*) the Election of the Clergy and People: for as
 Arthur Duke of Bretaine claimed a Right to succeed before his Uncle,
 so might his Sister Eleanor likewise have done, had she not been
 now kept close Prisoner in the Castle of Bristol.

[3]
Id. lb.

The Corona-
 tion-Oath.

He does Ho-
 mage to the
 See of Rome,
 and engages
 to pay the
 Pope's Tri-
 bute.

[3] But to proceed, the Day after, all necessary Preparations be-
 ing made for his Coronation, Guallo, the Pope's Legate, who highly
 espoused his Interest, accompanied with the afore-mentioned Bi-
 shops and Earls, brought him in solemn Procession into the Cath-
 edral Church of Gloucester, who being then placed before the High-
 Altar, in the presence of the Clergy and Laity, laying his Hand up-
 on the Holy Gospels and Reliques of Saints, (Jocelin of Bath dicta-
 ting the Oath) he swore, *That he would Honour God, and yield Peace
 and Reverence to Holy Church, and all its Clerks, all the days of his Life;
 That he would administer due Justice to the People; That he would abolish
 all bad Laws and ill Customs, if any were in his Kingdom, and would
 observe, and cause to be observed, all good Ones:* Then he did Homage
 to the Church of Rome, and to Pope Innocent, for the Kingdoms of
 England and Ireland, and also engaged faithfully to pay the Thousand
 Marks yearly to the See of Rome, which his Father King John had
 granted to it: After which Peter Bishop of Winchester, and Jocelin Bishop
 of Bath, Anointed and Crown'd him King, with the usual Solemn-
 ities

ilities. The Day after he received the Homages and Fealties of all the Bishops, Earls, and Barons, and all others who were present, they all promising him most faithful Obedience.

But I cannot omit one Circumstance at this King's Coronation, (which is this;) That [4] for want of a Crown, (which could not be made upon so short warning) he was forced to be Crown'd with only a plain Circle, or Chaplet of Gold: But the Reason why this King was Crown'd by the Pope's Legate, and not by the Archbishop of *Canterbury*, was, because (as *Walter of Coventry* observes) *Stephen* Archbishop of *Canterbury* was then at *Rome*, soliciting the taking off his Suspension, and the Legate did not think it safe to defer the King's Coronation, till his Return; but whilst the Bishops and Lords at *Worcester* swore Fealty to King *Henry*, those Barons who sided with Prince *Lewis* (to take away all hopes of making their Peace with the Young King) took a solemn Oath on the Gospel never to receive any of the Sons of the late King *John*; however, this Oath of *Abjuration* came to nothing, as you will find hereafter.

[5] After this Coronation, the Young King (who then wanted One Month of being Ten Years of Age) remain'd under the Protection of *William Mareschal* Earl of *Pembroke*, who being by the common Assent of the Prelates and Nobility, chosen to that great Trust, forthwith sent Letters to all Sheriffs and Castellans of the Kingdom of *England*, Commanding Obedience to the New King, and promising great Rewards to all such as would faithfully adhere to him; whereupon all those Noblemen and Governors of Castles, who had continued firm to the Father, stuck more Close and Faithful to him, and every one prepared to fortifie their Castles as well as they could, and they were the more encouraged to this, when they saw that Prince *Lewis* and all the Barons and others of his Party were every Sunday and Holiday declared *Excommunicated* by the Pope's Legate.

[1] Then the Protector, together with the Bishop of *Winchester*, and others of the Council, did all they could to bring over the rebellious Barons to their Duty to the King; in whose name they wrote Letters to several of them, and (amongst others) to *Hugh de Lacy*, a Baron of Note, containing a Safe-Conduct, leaving it to his free choice, if he would come in Person, and treat with the King, either to go back again in safety if they could not agree, or else to stay and return to his former Allegiance; which if he did, he was then promised the Restitution and Enjoyment of all his Estate and Privileges: To this Letter the Earl of *Pembroke's* Name is affixed, as the only Witness, and is dated *November* the Eighteenth, in the First Year of this King's Reign, being upon *Record in the *Tower*, and we are obliged to Dr. *Brady* for this Account of it, since I doubt not but the like Letters were written to others as well as to this Nobleman.

[2] When Prince *Lewis*, and the Barons who then Besieged *Dover-Castle*, heard that King *John* was dead, they were at first possessed with a fallacious Satisfaction, that all *England* would soon be subdued; and upon this *Lewis* summoned *Hubert de Burgh*, Constable of the Castle, to surrender it; telling him, King *John* was dead, and that he could not defend it much longer; Therefore if he would

Anno Dom.
MCCXV.

[4]
M. P. 16.
Chron. 7. 14.

The K. was
first Crown'd
with a Chap-
let of Gold,
instead of a
Crown.

The Barons of
Lewis's Party
take an Oath
of Abjuration,
not to admit
of any of K.
John's Sons.

[5]
M. P. 16.
The King is
committed to
the Protection
of the Earl
Mareschal.

[1]
Id. 16.
The Protector
writes in the
King's Name
to the Barons
of Lewis's Par-
ty to invite
them to re-
turn to their
Allegiance.

Rot. Pat. 1 H 3.
M. 16. Vid.
Append. N.
143.

[2]
Id. 16.
Upon the
News of King
John's Death,
Lewis again
summons Hu-
bert de Burgh
to surrender
Dover-Castle.

Anno Dom surrender the Castle, and swear Fealty to him, he would not on-
MCCXVI. ly reward him with Great Honours, but also make him one of
 his Chief Councillors; To whom *Hubert* gave this Resolute Answer,
 Which he re- *That although his Master was dead, yet he had left Sons who ought to suc-*
 solutely refu- *ceed him: Nor would he hear of surrendring the Castle, till he had*
 ses, with a *consulted his Knights. These all Unanimously persisted in the Ne-*
 handsome *gative, lest by a shamefull surrender they should be branded for*
 Answer. *Traytors; of which when Prince Lewis and the Barons had notice,*
they resolved to take in the smaller Castles first, and then to pro-
ceed to the Greater; therefore raising the Siege, he marched towards
London, whereupon the Soldiers that were in that Castle sallied out,
and burnt all the Huts and Wooden Fortifications which Prince
Lewis had ordered to be made before it.

[3] Wherefore on the Twelfth of November following, he came
 to *Hertford*, and besieged it, which at first was well defended by
Walter de Godardvill, and many French were slain before it; but at
 last it was yielded unto *Lewis* upon condition, that they might be
 secured of their Goods, their Horses, and their Arms. *Robert Fitz-*
Walter claimed the Custody of this Town, as belonging unto him
 by Antient Right; to whom Prince *Lewis*, by advice of the
Frenchmen about him, replied, that *Those English were never to be*
trusted, who had been Traytors to their own Master; However, he pro-
 mised him, that when he had wholly subdued the Kingdom, every one
 should have their Rights restored, which they had enjoyed before.

[4] From thence Prince *Lewis* advanced to *Berkhamsted*-Castle, and
 besieged it; but whilst the Barons of his Party were pitching their
 Tents on the North-side of the Castle towards the Forest, those that
 were in Garison sallied out with great fury upon their Baggage and
 Carriages, and snatching up the Banner of *William de Mandevill* car-
 ried it away with them into the Castle; but the same Men sallying
 out again the next Day, and bearing the same Banner before them,
 were forced to retreat; and some days after, (notwithstanding all
 the Resistance that *Waleran* a German, and those that were with him
 could make) the Castle was surrender'd about the middle of *Decem-*
ber, upon condition, that the Besieged might march out with their
 Horses and Arms.

[5] After this, Prince *Lewis* putting a strong Garison in the Castle
 of *Berkhamsted*) marched forward, spoiling the Country, and coming
 to *St. Albans* required the Abbot thereof to do him Homage, which
 he refused, unless he were first released from his Homage to King
Henry. *Lewis*, enraged at this Answer, swore he would burn both
 the Abbey and Town, unless he did what he required of him; where-
 upon the Abbot (by the Mediation of *Saber* Earl of *Winton*) made a
 Composition for himself and the Town, and gave that Prince Four-
 score Marks of Silver to spare that Noble Pile, together with the
 Town, untill *Candlemas*; then the Prince returned to *London*: And
 thus ended the Military Affairs of this Year.

As for the Ecclesiastical, **Walter* of *Coventry* informs us, that the
 Pope's Legate having done his utmost to confirm those of the King's
 Party in their Allegiance, and to bring over the rest that yet stood
 out against him, gave all the speedy notice he could to the Pope,
 of the Death of the late King, and the Coronation of his Son; where-
 upon

* *Memoriale*
Hist. MS. in
Bib. Cotton.

upon the Court of Rome resolved to stand by him with all their might, thereby the better to defend the Patrimony of St. Peter, (as they then accounted *England* to be) and so the Legate was not only established a-new in his Power, but commanded to compel all Prelates and Ecclesiastical Persons, under pain of *Excommunication* to return to their Duty to the King, putting all the Countries that owned Prince *Lewis* under an *Interdict*: But the Prince protested against the Legate's Authority, prohibiting all Persons, under great Penalties, to obey his Commands, or own the New King; and required all both Clergy and Laity to do Fealty to him, as Lord of the Kingdom at a certain stated day. But for all this the Legate prevailed, and holding a Synod of the Prelates and Clergy at *Bristol*, he not only confirmed those to the King's Party who were already in it, but also hinder'd all others from doing any Homage to Prince *Lewis*; and he to be revenged of them, spoiled and plundered their Goods and Estates: Yet this Author relates, that *Christmas* now approaching, there was a Truce agreed upon during the Holidays, which was to last till the Octaves of *Epiphany*.

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The Pope, upon the News of King John's Death, resolves to stand by the young King.

And sends fresh orders to his Legate to compel all Clergy-men by *Excommunication* to return to their Allegiance: Whereupon *Lewis* protests against his Authority. The Legate calls a Synod at *Bristol*; and what done there.

A Truce agreed on for a few Days.

Anno Dom. MCCXVII.

[1] M. P. p. 292. The Nobility hate *Lewis*, and the Reason why.

Each Party hold their great Councils, where the Truce being offered to be prolonged, it is by *Lewis* refused.

[2] M. P. 16. Several Kts. sallying out of *Mount-sorel* Castle; are either killed, or made Prisoners.

[3] Id. ib. *Faukes de Brent* with his Mercenaries plunders *St. Albans*; and makes the Abbot redeem his Monastery from burning.

[1] This Year the Young King kept his *Christmas* at *Bristol*, with *Guallo* the Legate, and *William* Earl-Mareschal the Protector; and about the same time there was a great Fluctuation in the Nobility, whether they should submit to Young *Henry*, or to Prince *Lewis*, whom they secretly hated and despised, and that chiefly, because contrary to his Oath he had entered upon their Lands and Castles, and had filled them with Mercenary Foreign Soldiers; yet at the same time they were ashamed to return to the King, whom they had so piteously deserted; and being thus perplexed, they could not for a good while tell which Course to steer.

But *Walter* of *Coventry* gives us a more exact Account than *Mat. Paris* concerning the Posture of Affairs in the beginning of this Year; for he tells us, that presently after *Christmas*, whilst the Truce lasted, Prince *Lewis* and his Adherents held a Council at *Grantbridge*, (now *Cambridge*) and the Guardians or Protectors of the King did the like at *Oxford*; and it was there proposed, that the Truce should be prolonged; but it being refused by Prince *Lewis*, he presently fell to besiege the Castle of *Odingham*, now *Odiham* in *Hampshire*, which was shortly render'd to him, as were also the Castles of *Steford*, *Norwich*, and *Colchester*.

[2] And about the same time, (*viz.*) the latter end of *January*, several Knights and Esquires went out of *Mont-Sorel* Castle to plunder the County, but the Garison in *Nottingham* Castle having notice of it, sent out a Party that engaged them, killed Three of their number, and took Ten Knights and Twenty Four Esquires, and so returned Victorious.

[3] About the same time also, *Faukes de Brent*, (that old Plunderer) gathering great numbers of Mercenaries from *Oxford*, *Northampton*, and other Places, came to *St. Albans* in the Evening, and falling upon the Town, plundered it, and took many of the Inhabitants Prisoners; and then sent the Abbot word, that unless he would redeem it and his Monastery, by paying down an Hundred Pounds, he would burn the whole Town, Abbey and all; which the Abbot being forced

Anno Dom. MCCXVII. forced to do, *Fawkes* return'd with his Prisoners and Spoils to his Castle of *Bedford*; yet being afterwards (it seems) frighted by a Dream of a great Stone falling upon him from the Tower of *St. Alban's Church*, he thereupon, by the advice of his Wife, went back to that Abbey, and then asked Pardon of the Monks for the Injury he had done them, and so obtained Absolution, tho' without restoring any thing of what he had taken away.

This I have inserted to let the Reader see, that *Mercenary standing Armies* are still the same things whomsoever they serve, so it seems this Monastery suffer'd sufficiently (as *Neuters* commonly do) from both Parties.

But to intermix somewhat of Civil Concerns among so many Military Exploits, King *Henry*, (together with the Pope's Legate, and the Earl-Mareschal) being still at *Gloucester*, he, by the Advice of his Councillors, as well as to testify his own Thankfulness to his Loyal Subjects of *Ireland* for their Fidelity to his Father and himself, there granted them the same Liberties, which had been done already to the Kingdom of *England* by his Father and himself, and which being now reduc'd into Writing, were sent to *Ireland*, under the Seals of *Orlando* the Legate, and the Earl-Mareschal Protector, because the King was then under Age, and had as yet no Seal of his own: All which appears by the Writ sent over with this Charter still on *Record in the Tower of *London*. But if the Charter it

self was entred upon the same Roll, it is now lost, † as is also that to *England*, which is here said to have been granted at the same time, viz. *Sexto Februarii*. But how the Copy of this Charter, which is entred in the Red Book of the *Exchequer* at *Dublin*, (and is *Mutatis Mutandis*, the same with our *English Magna-Charta*) comes to bear date at *Bristol* the 12th of *November* precedent to this Writ, I do not understand, unless it be an Error in that Copy, the Original of which is not now Extant: But that King *Henry* Granted and Confirmed the same Charter of Liberties this Year also to his Subjects of *England*, appears from a *Writ upon Record in the Tower, to the Sheriff of *Worcestershire*; commanding him to proclaim the Charters of Liberties granted by the King to the Barons, and all others of *England*, with the Advice (or Consent) of the Common Council of the Kingdom, and which the Pope's Legate had also confirmed by his Seal; with the same Clause about the King's not having a Seal of his own, as in the abovesaid Writ concerning *Ireland*.

The K. also granted the same Charter to *England*.
* *Rot. Clauf. H. 3. M. 10. Dors. My Append. N. 7.*
But tho' the Originals as well as Copies of this first Charter be now lost, yet that the King also confirmed these Charters in the Second Year of his Reign, appears from several antient Copies of them still preserved in private Hands, which are particularly mentioned among the Laws at the end of this King's Reign: And this is also farther confirmed by the antient *Manuscript Chronicle of the City of *London*, already cited; which says expressly, that this King in the Second Year of his Reign, by his Charter granted and confirmed all the Liberties that had been granted by his Predecessors; and then mentions, that because the King was then under Age, and had no Seal of his own, they were Sealed with the Seals of the Pope's Legate, and the Earl-Mareschal; but that in his Ninth Year he

Another confirmation of it in the second Year of this King's Reign.

* In Libro de Antiq. Leg.

he again confirmed the same Charter, and Seal'd it with his own Seal; and at the same Time also granted the Charter of Forests; which was not mention'd before. *Anno Dom. MCCXVII.*

[4] About this time Prince *Lewis* had notice from his Envoys at Rome, that unless he departed out of *England*, the Sentence of Excommunication pronounced against him by *Guallo* the Legate would be confirmed by the Pope himself; whereupon a Truce was agreed on between King *Henry* and *Lewis*, until a Month after *Easter*; and all things were (till then) to remain in the same state as they were at the time when it was made. *[4] Id. 16. Lewis upon notice that the Legate's Excommunication of him would be confirmed by the Pope, agrees to a Truce.*

Walter of Coventry is more particular in his Account of the occasion of this Truce, for tho' divers other Writers impute it only to Prince *Lewis's* earnest desire to go over to sollicite his Father for fresh Recruits; yet this Author gives us a better Reason for it, which is, That about this time a Great Council or Synod was held at *Meaux* in *France*, by the Pope's Nuncios, who threaten'd to put that Kingdom under an *Interdict*, unless King *Philip* would recall his Son out of *England*; upon which the King presently summon'd him to come over, and be himself in Person at that Council: [5] Wherefore the Prince having declared the Necessity of his Absence for a short time, and sworn to return before the Expiration of the Truce, he in the beginning of *Sept* set sail for *France*. *[5] Id. 16. Lewis during the Truce goes over into France.*

[1] But his Absence was ill resented by those *English* Noblemen who took his part; for almost so soon as his Back was turn'd, many of them both Earls and Barons, (as *William Longespee* Earl of *Salisbury*, *William* Earl of *Arundel*, *William* Earl of *Warren*, and *William*, Son of the Earl-Mareschal,) deserting him, return'd to their Allegiance, and afterwards firmly adhered to King *Henry*, which very much weakened the *French* Prince's Party. *[1] Id. 16. As soon as he is gone over, the Earl of Salisbury and divers other Noblemen, return to their Allegiance.*

The same Author further adds, That these Noblemen were chiefly brought over by the Legate's persuasions, who promised them Remission of all their Sins, if they would now engage for the King; and that those that fought in his Quarrel, should have the same Privileges, as those that made War in the *Holy Land* against Infidels; whereupon the Legate not only took the Sign of the Cross upon his Habit, (as it was the manner of those who went to *Jerusalem*;) but also the Bishops and Abbots did the like, and presently marched out with him to the War; the Legate likewise again Excommunicated all those who still held with the Barons; most of whom despised the Sentence, saying, That the Pope being blinded with Avarice and Ambition, perverted all Right; That his Legate contrary to his Character marched out to War, and under colour of Absolutions exacted great Sums of Money from those Churches and Monasteries, which he had never visited; a great deal of which was indeed too true, yet we may observe how deplorable the Estate of *England* was at this time, whilst it was so divided against it self. *And that upon Religious, as well as Secular Motives.*

[2] The Absence of Prince *Lewis* highly encouraged and strengthened the Royal Party, so that during that time, they recovered the strong Castles of *Marlbridge*, *Farnham*, *Winchester*, *Chichester*, and other Places, which were many of them demolished; but on the very day whereon the Truce was to expire, Prince *Lewis* arrived at *Sandwich*, bringing over with him the Young Earl of *Perche*, and *Vol. II.* *[2] Id. 16. Lewis during his Absence loses many Castles.*

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MCCXVII.

He arrives at
Sandwich, at-
tended by the
Earl of Perche,
&c.

But being af-
flicted by the
Mariners of
the Cinque-
Ports, he burns
Sandwich, as
soon as he
landed.

M. P. p. 293.
The Earl of
Chester and
other Noble-
men besiege
Mont-forel.

The Garrison
being put
hard to it, send
to Lewis for
Relief.

Who there-
upon sends
down a confi-
derable Army,
which com-
mits great
disorder in
their march.

[4]
Id. ib. p. 294.

The Siege of
Mont-forel
raised; and
Lincoln-Castle
besieged by
the Confede-
rate Barons.

[5]
Wal. Cov. ib.
Prince Lewis
again besieges
Dover-Castle,
but in vain.

[1]
W.C. M.P. ib.

many other Noblemen, besides Common Soldiers; but he suffer'd a great Loss and Damage in his Passage over, for the Mariners of the *Cinque-Ports* having now declared for the King, fet upon him, and at Sea took divers of his Ships; wherefore the Prince, as soon as he landed, burnt *Sandwich* in Revenge, and going to *London*, was received with great satisfaction, by those that still continued firm to his Interest; and they put him upon undertaking a considerable Enterprize, for the doing of which a fair Opportunity now offer'd it self.

[3] For some time after the Feast of *Easter* was over, at the Instigation of *William* Earl-Mareschal the Protector; *Ranulph* Earl of *Chester*, *William* Earl of *Albemarle*, *William* Earl of *Ferrars*, *Robert de Vipont*, *Brian de Lisle*, *William de Cantelupe*, *Philip Marc*, *Robert de Gaugi*, *Fankys de Brent*, and his Castellans, with many other Garrison Soldiers, muster'd their Forces to besiege the Castle of *Mont-forel*, whereof *Henry Braibroc* was Governor, and with whom were Ten stout Knights, and many common Soldiers. During the Siege there were several vigorous Assaults made and briskly return'd, but the Besieged being very hard pressed, sent to *Saber* Earl of *Winton*, Lord of the Castle, who was then at *London*, for Relief. He applied himself to Prince *Lewis* (now lately return'd) desiring his immediate assistance to raise the Siege; whereupon they agreed to send such a Force, as might not only Relieve the Castle, but also subdue the adjacent Country; and straight there went out of *London* Six hundred Knights, and above Twenty thousand Men well arm'd, who were all greedy of Plunder; the Chief of them were the Earl of *Perche*, Mareschal of *France*, (a young Man of great Courage) *Saber* Earl of *Winton*, *Robert Fitz-Walter*, and many others, that were look'd upon as most fit for that Expedition; they set forth the Last of *April*, and marched first towards *St. Albans*, Burning and Robbing both Towns and Churches, spoiling Men of all Ranks and Conditions, and cruelly tormenting them, on purpose to force from them excessive Ransoms; [4] Neither did they spare the Abbey of *St. Albans*, notwithstanding a little before the Abbot had satisfied Prince *Lewis*, as you have heard already. From thence they marched to *Dunstable*, where they plunder'd the poor Monks, and with their polluted Hands snatched away the Holy Reliques from the Altar; and then after many Spoils and much Rapine, they marched to the Castle of *Mont-forel*, and raised the Siege without any Opposition; and the Earl of *Chester* who commanded there in chief, drew off his Forces to *Nottingham*; from *Mont-forel* the Barons marched to *Lincoln*, and set down before the Castle, which *Gilbert de Gant* had a long time in vain besieged, and made many Assaults, but was vigorously repulsed. [5] In the mean time Prince *Lewis* took his opportunity again to besiege the Castle of *Dover*, but he could not take it, because the main strength of his Army was then in the North, employed in the Siege of the Places already mention'd.

[1] While these things were transacting, those of the King's Party foresaw the great Loss they must sustain, if *Lincoln-Castle* should be taken by the Confederate Barons; and therefore *William* Earl-Mareschal, by the Advice of *Guallo* the Legate, and *Peter* Bishop of *Winchester*, and others who then managed the Affairs of the King-
dom,

dom, summon'd all the King's Castellans and Knights, with those that were in Garrison in divers parts, to meet at *Newark* on *Whitsun-Tuesday*, and go along with them to raise the Siege of *Lincoln-Castle*; they all shewed a great readines to fight with the *Excommunicated French* (as they call'd them) and very joyfully met at the Place and Day appointed; with them went also the Legate, and many other Prelates in Person, to subdue with their Prayers as well as their Arms, all those that were disobedient to the King, and Rebels to the Pope; when they were all come together, they made up Four hundred Knights, and Two hundred and Fifty Cross-bow-men, but Esquires or Horsemen without number, who if necessity required, were able to supply the Place of Knights; the Chief were *William* Earl-Mareschal, and *William* his Son, *Peter* Bishop of *Winchester*, a Prelate well skill'd in Martial Affairs, *Ranulph* Earl of *Chester*, (and the rest of those Knights who went with him to *Nottingham*) *William* Earl of *Salisbury*, with many other Earls and Barons, most of whom being already named, it would be tedious to repeat them; all these with divers Governors of Castles, well Exercised and Experienced in Military Discipline, stayed Three days at *Newark* for the refreshment of their Men and Horses, where they were Confessed, and (as they supposed) very well fortify'd themselves by the receiving of the *Eucharist*, as a Guard against the Assaults of their Enemies.

[2] Then on *Friday* in *Whitsun-week* the Legate declared to them, the Injustice of the Cause, in which *Lewis* and the Barons his Adherents were now engaged, for which they had been *Excommunicated*, and separated from the Unity of the Church, and at the same time he *Excommunicated* *Lewis* and all his Accomplices and Favourers by Name, especially all those that then besieged *Lincoln-Castle*; but to those who had undertaken this Expedition, he gave a full Pardon of all their Sins, with promise of *Eternal Salvation* if they died in this Service, which so animated the Army, that they joyfully marched towards *Lincoln* fearing nothing, but the Enemies flight before they came thither; when the Barons and *Frenchmen* that were in the City heard of their approach, they received the News with Scoffs and Laughter, thinking themselves very safe; however *Robert Fitz-Walter*, and *Saber* Earl of *Winton*, went out of the City to observe the Motions, and Number of the King's Forces; and when they returned, they reported their march to be very orderly, and that they exceeded their own Army in Number, tho' they were indeed mistaken in their Reckoning, taking those that came up with the Baggage, and those that follow'd the Camp to be all Soldiers; yet this Account gave no satisfaction to the Earl of *Perch*, and the rest of the *French* Commanders, who would not believe them to be so many; wherefore they sent out again to take a review of the King's Army, which marched in such close order, that the Scouts were mistaken in their Observation, and returned back alike deceived and uncertain. The Consults upon this were various, but at last it was agreed, that the Gates should be lock'd up, and strict Guards set to keep out the Enemy, and every one to be in readiness to defend it, and in the mean time to Batter and Assault the Castle, which they thought could not long hold out.

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MCCXVII.

The Earl-Mareschal summons all the Garrisons to unite their Forces to raise the Siege of *Lincoln*.

Whereupon a great Army is assembled at *Newark*; with the Names of the chief Commanders.

[1]
Id. p. 295.
The Legate shews the Injustice of their Adversaries cause, and declares them *Excommunicated*.

And grants a full Absolution to all those who undertook this Expedition.

Upon their approach to *Lincoln* the Confederate Barons send out the Earl of *Winchester* to observe their Strength.

The *French* not satisfied with his Account, send out other Scouts; upon whose return they resolve not to leave the Town.

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[3]
Id. Ib.
Faukes de Brent
enters Lincoln-
Castle by a
Postern, and
assists the Be-
sieged.

The rest of
the Army
storm the Ci-
ty, and enter,
upon which
follows a
sharp Engage-
ment for a
time; till at
last the Con-
federate French
Forces being
utterly roun-
ded, the City
is taken.

[3] When the King's Army was come before that Quarter of the City where the Castle stands, the Governor within presently by a private Messenger gave the chief Commanders an account of the State of the Place; and moreover told them, That if they would, they might enter at the *Postern-Gate* of the Castle, which was left open on purpose for them; *Faukes de Brent* accepted the Offer, and entered with his Cross-bow-men, and the rest that were under his Command, with their Bows, Arrows, and other Weapons, having first from the Castle wounded and unhorsed some of the most forward and valiant Barons that assaulted it, and thereby put them into some Disorder; but *Faukes* thinking to take advantage of this, suddenly sallying out upon the Enemies in the Town, narrowly escaped being taken Prisoner: During this Skirmish the rest of the Army stormed the City in another Place, and the Besieged not having the Courage so much as to make a Sally, the King's Forces seized the next Gate, and so got into the Town, though not without great loss of Men. So soon as they were entred, there began a very sharp Engagement in the Streets, but those of the Baron's Party being soon overpower'd, they were all kill'd, or else taken Prisoners, so that the whole Burthen now lay upon the Earl of *Perch* and the *Frenchmen*, who being overcome by Numbers, and refusing to take quarter of any *English Traytor* (as he call'd them) was there slain, and a great many were kill'd, by reason that the *Southern Gate*, by which they were to make their Escape, was kept shut with a great Bar, that but one Man could go out at once, so that few escaped by flight, and the far greater number were forced to yield themselves Prisoners at discretion, of whom the chiefest were, *Saher Earl of Winton*, *Henry de Bohun Earl of Hereford*, *Gilbert de Gant*, (whom Prince *Lewis* had lately made Earl of *Lincoln*,) *Robert Fitz-Walter*, with divers others, for whose Names I refer you to my Author; and besides these there were also taken near Four hundred Knights, not to mention Esquires and ordinary Soldiers, and Townsmen of a vast Number; this Victory was obtained on the Nineteenth of *May*, being *Saturday* in *Whitsun-Week*.

[4]
Id. Ib.
The Town is
plunder'd, and
the K's Soldi-
ers get a
great Booty.

The King re-
ceives the
News with
great Joy.

The [4] King's Soldiers here found great store of rich Booty, both in Plate and Goods belonging to the Barons and Townsmen, all which fell to their share; for the City being taken by Storm it was totally plundered, not sparing the very Churches, nor so much as the Cathedral, because the Chanons thereof were *Excommunicated*, for a small Pretence would serve turn for *Sacrilege*, especially when it was allowed of by the Pope's Legate, who was there in Person; and you may guess at the vast Riches of that Church, when one *Geoffrey de Dreping* the *Precentor* thereof, complain'd, that he had lost Eleven thousand Marks in Silver for his own share.

Now when they had made an end of Plundering the Town, the Earl-Mareschal commanded all his Castellans to return home with their Prisoners, and to keep them under a strict Guard, till they knew the King's Pleasure, who remain'd during all this Action with the Legate and a strong Guard at *Stow*, about eight Miles short of *Lincoln*: The next day the Earl went to give him notice of the Victory, which he received with great Joy, and the day following there came Messengers, who also brought him News, that the Enemies

mies Garison had voluntarily quitted *Mont-forel-Castle*; whereupon the King commanded the Sheriff of that County with the Men thereof to pull it down, and demolish it, and so it remains a heap of Rubbish to this day.

[5] Then the King's Party being highly flush'd with this Victory, advanced forward, and subdued those Parts which held out against them, and taking all the Castles and Garisons in their way, march'd up to *London* with a design to besiege it.

[1] Prince *Lewis* hearing of this great Defeat, presently left the Siege of *Dover-Castle* in which he was then engaged, and retreating to *London** forthwith sent Messengers to his Father the King of *France*, and to his Wife the Lady *Blanche*, to send him speedy Succours; but the King fearing to provoke the Pope if he should publicly assist his Son, who was then *Excommunicated*, left it wholly to the Princess his Wife, and she speedily sent away Three hundred valiant Knights, with a great many Soldiers, under the Conduct of *Eustace*, Sirnam'd the *Monk*, who was also appointed Admiral and Commander in Chief over the Fleet, as well as Land-Forces; but these great Preparations were not unknown to King *Henry*, and the Earl-Mareschal his Protector, who thereupon appointed *Philip de Albiney*, and *John the Mareschal*, with the Ships belonging to the *Cinque-Ports*, and many other Men of War to guard the Seas, and hinder the landing of the *French*, after whose embarking a brisk Gale of Wind drove their Fleet toward the Coast of *England*; the King's Ships (though fewer in number) met with them, but yet durst not set upon them in the Front, being Fourscore great Ships, besides Gallies and smaller Vessels, whereas the *English* were not above Forty in all; whereupon they resolv'd to steer another Course, therefore tacking about, and so getting Windward of them, they thereby gain'd a great Advantage; then there began a Bloody Sea-fight on the Coast of *Kent*, not far from the Isle of *Thanet*, when *Philip de Albiney* with his Archers making a great Slaughter of the *French*, and the *English* Vessels having the Wind, with their Bow-sprits armed with Iron, ran upon the *French* Gallies, and pierced them through, whereby many of them were sunk, and the *English* having a great deal of Quick-Lime in Powder on board, cast it up in the Air, which being carried by the Wind into the Eyes of the *French*, blinded them; so that the *English* being more skilful in Sea-Engagements destroyed them all manner of ways; at length the *French* seeing no hopes of Success, or even of Escape, some desperately leaped into the Water, whilst others yielded themselves Prisoners: Nor durst the *French* from that time engage with the *English* in a Sea-fight.

[2] *Eustace* the Monk, their Commander, being taken, offer'd a great Sum of Money for his Life, but *Richard* a Base-Son of King *John* calling him *Wicked Traytor*; told him he should never deceive any Man again with his false Promises, and so cut off his Head: This Man was at first a Monk, and having turned Seaman had been a great Pyrate; yet at last was made Admiral of the *French* Fleet, and having often changed sides according to Success, was for a long time a Terror not only at Sea, but to the adjacent Shores: There was a great deal of Spoil taken by the Seamen on board these Ships in

Anno Dom.
MCCXVII
Vid. Cam. B. i.
in *Liccestershire*.

[5]
W.C.
The K's Army
marches to-
wards *London*
to besiege it.

[1]
W.C.
M.P. p. 297.
Lewis upon
this ill News
quits *Dover*,
and sends to
his Father for
more Succors;
but he not
daring, the
Princess his
Wife sends
over *Eustace*
the Monk
with a nume-
rous Fleet.

Who being
met at Sea by
the K's Ships
there begins a
sharp Engage-
ment.

The *French*
Fleet is de-
stroyed with
most of the
Men.

[2]
Id. p. 298.
Eustace the
Monk being
taken, has his
Head struck
off by *Richard*
base Son to
K. *John*.

Much Spoil
and a great
many Prison-
ers then
taken.

Gold

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MCCXVII.

Gold and Silver, besides good store of Arms; and the Prisoners being put under strict Guard, *Philip de Albiney* Commander in Chief in the late Fight, immediately gave the King notice of it, who thereupon return'd solemn Thanks to God.

[3]
Id. ib.
Lewis is much
mortified at
the News.

[3] When Prince *Lewis* received the News of this Defeat, it grieved him more than the late Overthrow at *Lincoln*, since it deprived him of the means of going off by Sea: So that from this time the King still prevail'd, and Prince *Lewis's* Party grew weaker and weaker every day.

[4]
Id. p. 298, 299.

And thereupon
offers a
Treaty of
Peace.

Articles of
which are sent
him by the
Earl-Mareschal,
and are
so far accepted
by the Prince,
as that a Place
of Treaty is
appointed.

[4] After this, the Earl-Mareschal mustering up a great Army of Knights and their Dependants marched to *London*, and began to block it up both by Land and Water; whereupon Prince *Lewis* finding himself reduc'd to great streights, signified to the Legate and Mareschal, That he would submit to their Advice, and consent to any thing consistent with his own Honour, and without much prejudice to his Friends: And it happen'd well for him, that they on whom the Management of this Business lay, though they consulted the King's Safety, yet did not desire the entire Ruine of that Prince, but only to get him out of *England*; wherefore they sent him certain Articles of Peace in Writing, to which if he would consent, they engaged that he should have free Passage and safe Conduct out of *England*; but if not, they would endeavour the destruction of him and all his Adherents; whereupon Prince *Lewis* and his Councillors accepted the Offer, and sent to the Mareschal and Legate to fix upon the Time and Place, that a speedy Peace might be concluded between them; they appointed an Island in the River *Thames*, near the Town of *Staines*, where King *Henry*, the Legate, and Mareschal, with many Others on the one side, and *Lewis*, with the Barons on the other side, met, and on the Eleventh of *September* agreed upon the Form of Peace following.

[5]
Id. ib.
The Articles
which they agreed on.

[5] First, Prince *Lewis* swore, that he and all with him that were *Excommunicated* would stand to the Judgment of *Holy Church*, and for the future would be Obedient to the Pope and Church of *Rome*; That he would forthwith depart the Kingdom of *England*, and never more return with any ill design during his Life.

Secondly, That he would endeavour what he could to induce King *Philip* his Father to restore to King *Henry* all his Rights beyond the Seas.

Lastly, If his Father refused to do it, he himself would perform it if ever he came to the Crown; and that in the mean time he would immediately deliver to the King all those Castles and Territories he had possessed himself of in *England* during this War.

[1]
Id. ib.

[1] And the King of *England* for his part swore upon the *Evangelists*, together with the Legate, and Earl-Mareschal, that they would restore to the Barons of *England*, and to all others of the Kingdom all their Rights and Inheritances, together with the Liberties they before enjoyed, for which there had arose so great Discord between King *John* and the Barons; neither should it be any Damage or Reproach to those, that had adhered to the one or to the other side: That as to all Prisoners, who had redeemed themselves before this Peace was made, and had paid part of the Money for their Redemption; what was paid already should not be re-

turn'd,

turn'd, but what remain'd behind should be remitted; and that all Prisoners either taken at *Lincoln*, or at Sea, whether of the King's or Prince *Lewis's* side, should without any Difficulty or Ransom be set at Liberty: But the *Welsh* Princes, who had join'd with him, and the Barons being wholly omitted in these Articles, were left to the King's Mercy. Yet some of the * *French* Historians relate, that *Lewis* had a great Sum of Money paid him for restoring the Hostages he had taken of the Barons, which is certainly false, for *Lewis* was so far from standing upon Terms, that he was glad to agree upon any Conditions; and as for Hostages, there could be nothing due from the King on that Account; but from the Barons his Enemies, whose Relations they were; but our Writers do not mention any Money paid for them, and therefore it is most likely they were delivered gratis, though they are not particularly mention'd.

These are the Principal Articles of this Peace, though indeed there is another Copy of it by way of Charter in * *Daubert's Spiritu legum*, said to be publish'd from an Original in the Chartulary of *St. Giles*, at *Pont-Audamar*; which differs in some things from that here specified by our Author, as particularly in the three First Clauses, viz. of Prince *Lewis's* standing to the Judgment of the Church; of his quitting the Kingdom, and never to return; of restoring to the King of *England* all his Rights beyond the Sea; all which are omitted in that Copy, and since this Agreement is no where else to be found, and that the Book in which it is printed is very scarce in *England*, I have added it at large at the end of this Work, for the benefit of the Diligent and Inquisitive Reader.

[2] After this Prince *Lewis* coming Barefoot and Ungirt from his own Pavillion to that of the Legate, he and all his Followers were Absolved, and so he returned to *London*, [3] where having borrowed Five thousand Pounds Sterling of the Citizens to discharge his Debts, (the Poverty of the City being then so great, that it could not afford him any more) he was by the Earl-Mareschal safely conducted to the Sea-side, and so passed over into *France*.

Here I cannot but observe with *Walter of Coventry*, that it was next to a Miracle, that the Eldest Son to the King of *France*, who brought so many Men over with him into *England*, and was possessed of the Capital City, and many of the chief Places thereof, and was also assisted by so great a Part of the Clergy and Nobility, should be so quickly sent out of *England*; but it will not appear so great a wonder, if, besides Prince *Lewis's* late ill Success both by Sea and Land, we also consider, First, The Hatred and Distrust of the *English* Nobility against the *French* Nation; Secondly, The Love and Compassion many of them had for young King *Henry*, from whom they hoped better things than from his Father; and Lastly, The Fear and Terror of the Pope's Excommunication, which not only hinder'd most of the Clergy from joining with *Lewis*, but brought over several of the Great Earls and Barons to the King's Party; tho' this were indeed a good Effect of a bad Cause, the King being then looked upon as the Pope's Vassal.

The same [4] Author likewise tells us, that immediately after Prince *Lewis's* departure, the King came to *London*, and was received with as much Pomp, as the State of Affairs would at that time

Anno Dom.
MCCXVII.

Paul. Emil.
in Phil. 2.

Tom. 9. p.
171.

Another Copy
of these Arti-
cles, which
differ some-
what from the
former.

[2]
Chron. Mailros.
Lewis attends
the Pope's Le-
gate Barefoot
to obtain his
Absolution.

[3]
M. P. 16.
He returns to
London; and
there borrows
5000 l. to pay
his Debts; and
then departs.

The Reasons
of Lewis's
making this
Peace.

[4]
Id. ib.
The King re-
turns to *Lon-
don*, and is re-
ceived with
great Joy.

Anno Dom.
MCCXVII.

time afford, and then also the Homages and Fealties of the Kingdom were again renewed, and there the King's Guardians, with the Chief Men of the Nation, held frequent Consultations concerning the Settling and Reforming the Kingdom; for it was no easie matter to satisfy so many Men's Desires and Expectations, as also to appease the Rancour and Animosities of different Parties against each other, the remainder of which they now vented in frequent Tournaments, wherein between Jest and Earnest they expressed their former Animosities.

[5]

M.P. ib.
The Clergy,
norwithstand-
ing the K's
Pardon, are
still left to the
Pope's Dis-
cretion.

As for Ecclesiastical Affairs, [5] notwithstanding the late General Pardon of all Offences during the War, yet all Bishops, Priors, and other the Clergymen who assisted or favoured *Lewis* and the Barons, and in particular *Simon de Langton*, and *Gervase de Hoberugge*, who caused *Divine Service* to be performed by such as were *Excommunicated*, were all excepted from the Benefit of this Pardon, and being deprived of all their Benefices were forced to trudge to *Rome* to seek for Absolution: But soon after *Lewis's* Departure the Legate sent Inquisitors all over *England*, and whosoever of the Clergy was found to have been the least engaged, or inclin'd to *Lewis* and his Party, of what Order and Dignity soever they were, they first suspended them, and then sent to the Legate, who deprived them of all their Benefices, and bestowed them on his Clerks. *Hugh* Bishop of *Lincoln* paid to the Pope's use a Thousand Marks, and a Hundred to the Legate, for his Bishoprick; whose Example many of the Bishops and other Religious Persons followed, both of the *Regular* and *Secular* Orders, and empty'd their Purses to obtain the Legate's Favour, who thereby heaped up a vast Sum of Money for the use of the Pope his Master, so that he was always sure to gain, whoever lost.

[1]

C. M.
The King of
Scots is also
absolved, and
delivers up
Carlisle for the
King's use.

That King
does Homage
to K. Henry.

[1] Also towards the End of this Year the King of *Scots* was Absolved from his *Excommunication* by the Archbishop of *Tork*, and Bishop of *Durham*, by the Legate's Authority committed to them for that purpose; and then also the Archbishop went to *Carlisle*, and took possession of it for the King of *England*: After this the King of *Scots* going to *Northampton* was there received by King *Henry* and the Legate, with great Honour; and on the *Saturday* before *Christmas-Day*, did his Homage for the Earldom of *Huntington*, and the rest of the Territories which his Predecessors held of the Kings of *England*. And having thus made his Peace with the King and the Legate, he return'd home, though the *Interdict* was not yet taken off his Kingdom, till the Beginning of the Year following.

As for other Ecclesiastical Affairs this Year affords none, but such as being connected with the Civil, have been already related; only

[2]

M.P. P. 197.
Pope Innocent
the Third, de-
ceases.

[2] Pope *Innocent the Third*, a Prelate of a Great Spirit and Ambition, and who very well knew how to make the best Use of his Spiritual Thunderbolt of *Excommunication* for his own advantage, deceased on the Sixteenth of *July*, and was succeeded by Cardinal *Cinsus*, under the Name of *Honorius the Third*.

King

King * Henry now kept his *Christmass* at Northampton, where *Faukes Anno. Dom. de Brent* supplied him with all Necessaries during that Festival; not MCCXVIII. long after which, several of the Nobility and others, (the chief of *Id. p. 300.* whom were *William* Earl of Albemarle, *Robert de Vipont*, *Brian de Lisle*, *Hugo de Bailliol*, *Philip Marc*, and *Robert de Gaugy*.) having Several of the Nobility having posses'd themselves of other Men's Castles and Estates, would in the time of War accustomed themselves to Rapine, could not keep them, notwithstanding the King's Commands to forbear Exercising the same in time of Peace; and therefore forcibly held divers Castles with the Lands and Possessions belonging to some Bishops and Great Men, contrary to the King's Will and Command; but especially *Robert de Gaugy* (though admonished of it several times by the King) refused to yield up the Castle and Town of *Newark* to *Hugh* Bishop of *Lincoln*; whereupon the Earl-Mareschal at the King's Command, raised an Army, and besieged the Castle; and after eight days Siege, *Robert de Gaugy* capitulated with the Bishop to deliver the Castle to him, upon payment of an Hundred Pounds *Sterling* for the Victuals that were in it; hereupon the Bishop with the King's consent accepted the Terms, and so the Siege was raised, and every one went to their own Homes. But the Earl-Mareschal raising an Army made *Robert de Gaugy* surrender the Castle of *Newark*. [3]

This Year [3] on the Eighteenth of *February* the Protector wrote in the King's Name to all Sheriffs to make Proclamations in their several Counties, that all Clerks that had adhered to Prince *Lewis* and were therefore *Excommunicated*, and not Absolved, should be Banished, and if they departed not the Realm before *Mid-Lent*, they were to be imprison'd; and such as were Absolved, if they still remain'd Friends to *Lewis*, they were however to be imprison'd. All Clerks who had adher'd to *P. Lewis*, and not Absolved, are Banished the Kingdom. The King also wrote on the Two and twentieth of the same Month to the Sheriffs of the several Counties, for the better satisfying the Mens Minds, that they should look to the Observation of the Charters of Liberties and the Forests, and see all Lawful Castles rebuilt that were demolished during the War. These Letters are not to be found in our Histories, but remain upon Record in the *Tower* on the *Clause * Roll* of this Year. The K. writes to the Sheriffs to see the Charters of Liberties and Forests strictly observed. [4]

Also [4] by another * *Clause Roll* of this Year it appears, that on the Sixteenth of *March*, there was a Treaty of Peace between the King's Commissioners, and *Llewellyn* Prince of *North-Wales*, who then received into his Custody from *Guallo* the Pope's Legate, the King's Castles of *Caermarthen* and *Caerdigan*, with their Lands and all Appurtenances, in the Presence of *Peter* Bishop of *Winchester*, *William* Mareschal Earl of *Pembroke*, and many other Bishops, Earls, and Barons there named, and others not named, to hold and keep them for the King's use, until he came of Age, and then they were freely to be delivered to him: He was also to hold the King's Courts in these Castles and Lands, as the King's Bailiff or Deputy, and do Right to the *English* according to the *English* Law, and to the *Welsh* according to their own Laws: And for the Performance of these things, he gave Pledges or Hostages, *Mailgon* the Son of *Rees*, and *Rees* the Son of *Griffin*, and *Mareduc* the Son of *Ren*. A Treaty of Peace concluded between the K. and the P. of *Wales*, and on what Terms. [5]

This Record is the more Remarkable, because it gives us a greater Light into the Affairs of *Wales*, than [5] the Chronicles themselves of that Country, which now suppose that Prince *Llewellyn* having taken the Part of the Barons against King *John*, and carrying on the War against King *Henry*, his Son, was left out of the Peace lately made, Dr. *Powel's* Chron. A short Account of the *Welsh* Affairs: made,

Memo Dom
CCCXVIII.

[1]
Id. ib.

made, and remain'd still *Excommunicated* by the Pope, which tho' it be in great part true, (for this Prince had been *Excommunicated* with the Barons of *England*) yet he had managed his Affairs so cunningly, that having had mighty success in *South-Wales*, and reduced great part of the Country under his Obedience, he obtain'd what Terms he pleased, so that by the last Articles of Peace made by the Mediation of the Bishop of *St. Davids* on behalf of the *Flemmings* in *Pembroke*shire, all the Inhabitants of that Country, as well as of *Ros*, were to remain that Prince his Subjects; and tho' *William Marechal* Earl of *Pembroke*, had sometime before got the Town of *Caerleon*, and made War against the *Welsh*, yet that Prince continuing still Successful, and winning divers Castles, and expelling the *English* that dwelt thereabouts, it is certain, that at this time Prince *Llewellyn* was not only Absolved from his *Excommunication*, but also made his Peace with the King, and that upon very advantageous Terms, as we may observe from this Record, as well as the *Welsh* Chronicles.

[2]
Dr. B's Ap.
N. 146.
P. 3. H. 3. M. 6.

A Common Council of the Kingdom, wherein it is ordain'd, that no Charter shall be Seal'd with the K's own Seal till he comes of Age.

The same Year was held a Common Council of the whole Kingdom, (tho' the exact time is not mentioned) as appears by a [2] Charter still upon * Record in the *Tower*, commanding that no Letters Patents containing the Confirmation, Alienation, Sale, or Donation of any thing in perpetuity, should be sealed with the King's Great Seal, untill he were of full Age; and if any such Charter or Letters Patents were so made and sealed, they were notwithstanding to be void. This Ordinance is witnessed by *Guallo* the Pope's Legate, the Archbishops of *Canterbury* and *York*, the Earl of *Pembroke* Protector, and *Hubert de Burgh*, with Thirteen Bishops, Nine great Abbots, Eight other Earls, and Fifteen Barons; which by the way shews the Reason why it is particularly mention'd in several Charters made in the beginning of this King's Reign, that by reason of his being under Age, and not having a Seal of his own, he had Seal'd with that of the Earl-Mareschal his Protector, as may appear by the Records last cited.

[3]
M. P. P. 301.

The Pope writes the K. a very kind and instructive Letter.

[3] About the same time also the new Pope *Honorius* sent King *Henry* a very kind and pious Letter, wherein he exhorts him to fear God in his Youth, that he may thereby encrease in all Virtue, and that he may especially reverence *Holy Church*, and all its Ministers; and then concludes with wishes for the good Government of his Subjects in Peace and Plenty, but especially that he would keep none but Prudent and Virtuous Men about him; the rest being only matter of Complement, I omit: This Advice is very Good, and it had been well for this Prince if he had always follow'd it.

[4]
Mass. West.
Guallo the
Pope's Legate
leaves Engl.
and returns to
Rome, and
Pandulph suc-
ceeds him.

[4] This Year *Guallo* the Pope's Legate left *England*, and returned to *Rome* in *August* or *September*, with a Great Sum of Money; and *Pandulph* Elect of *Norwich* succeeded him as Legate, and came to *St. Pauls* in *London* on the *Monday* after the Feast of *St. Andrew* next following: Also *Stephen* Archbishop of *Canterbury* having stayed beyond Sea till now, return'd into *England*.

[5] The

[5] The King kept his *Christmasts* at *Winchester*, where he was provided with all things necessary for that Solemnity by the Bishop of that See; not long after (Peace being now thoroughly restored and established in *England*) Itinerant Justices were sent through all Counties to revive the antient Laws, and to cause the late Charter of King *John* to be strictly observed, and then *Hubert de Burgh* was made Justiciary of *England*: About the middle of *May* following, *William Mareſchal* Earl of *Pembroke*, deceased at *London*, whose Body was buried in the Church of the *Knights-Templars* (now the *Temple Church*) where his Portraiture in a Coat of Mail is still to be seen in the middle of the Round. He was a great Commander in War, which was sufficiently testified by his Valour and Conduct in *Ireland* and *Normandy*, but especially in the late Civil Wars in *England*; and that he was also as prudent a Councillor in Peace, the late good Success of the King's Affairs, which was chiefly owing to his Conduct, sufficiently declares; after his Death *Peter* Bishop of *Winchester* was made Protector, and Govern'd with the same Moderation for a time.

Anno Dom.
MCCXIX.

[5]

M.P. p. 304.
Annal. de Waverley.

Itinerant Justices sent out to revive the antient Laws, and cause King John's Charter to be observ'd.

William Earl-Mareſchal deceased, and is buried in the Temple-Church.

His Character.

[1] As for the Foreign Affairs, *Europe* affords little, only Prince *Lewis*, Son to the King of *France*, after his Return home (to make the Pope some amends for his late Undutifulness in *England*) resolved to undertake a *Holy War* against the *Albigenses* of *Tholouse*, and setting down before the City with a great Army, he besieged it a long time, but all to no purpose, for after divers Assaults the *French* Army growing weaker and weaker, as well by Famine as a great Mortality of Men and Horses, and having also lost *Simon* Earl of *Montfort* their General, by the Blow of a Stone from an Engine, which struck him on the Head, the Prince was at last forced to raise the Siege, and so return home with no great Reputation.

[1]

M.P. p. 309.
Lewis, Son to the K. of Fr. makes War against the Albigenses of Tholouse, but returns with Dishonour.

[2] Nor can I omit giving you some account of what was done in the *Crusado*, or Holy War, agreed upon near two years since in the late *Lateran* Council. For *John* King of *Jerusalem*, and the Duke of *Austria*, with a great Multitude of People, having the Year before invaded *Egypt*, and besieged the Castle of *Damiata*, lying in the Mouth of the River *Nile*, they at last took it, tho' not without much difficulty; then carrying on the Siege to the City it self (notwithstanding divers endeavours of the *Saracens* to relieve it) it was taken at last in the Month of *November* by Storm, with a vast Plunder of Gold, Jewels, and other rich Commodities, which were all divided among the Soldiers; but the *Christians* had but a small time to rejoice for this Victory, as you will hear anon.

[2]

Id. p. 300.
A short Account of what was done this Year against the Saracens in Egypt.

I have nothing more to note at present concerning this *Holy War*, [3] but that *Saher de Quincie* Earl of *Winchester*, *Ranulph* Earl of *Chester*, *William* Earl of *Arundel*, and *Robert Fitz-Walter*, with divers other Barons, now took upon them the *Cross*, and went this Year towards the *Holy-Land*; the first of whom died there, and few of the rest ever return'd again alive.

[3]

Id. p. 303.
Many English Noblemen undertake the Crusado.

Anno Dom.
MCCXX.

[4]

Id. p. 309.
The K. is again solemnly Crown'd at Westminster.

And for what Cause.

The K. meets Alexander K. of Scots at York.

[5]

Id. p. 310.
The K. takes the Castle of Rockingham from the Earl of Albemarle; and the Reason why.

[1]

Id. p. 309.
Hugh Bishop of Lincoln Canonized.

[2]

Id. p. 310.
The Body of John Becket translated into a Shrine of Gold.

[4] King *Henry* kept his *Christmasts* at *Marleburgh*, being still under the Protection of *Peter* Bishop of *Winchester*; and at *Whitsuntide* following (being the Seventeenth of *May*, and the Fifth Year of his Reign) he was again solemnly Crown'd at *Westminster*, by *Stephen* Archbishop of *Canterbury*, in the presence of the Clergy and Laiety of the whole Kingdom: This Ceremony was renewed, because the former Coronation at *Gloucester* was not so solemnly perform'd as it ought to have been, by reason of the turbulency of the Times, as also for want of a Crown of Gold. But *Walter* of *Coventry* farther informs us, that the King was now Crown'd with *St. Edward's* Crown, and that the Coronation-Oath for maintaining the Laws and Liberties of the Church and Kingdom was again administer'd; after this, at the Feast of *St. Barnabas*, the King went on Progress into the *North*, and met *Alexander* King of *Scots* at *York*, where a Marriage was agreed upon between the said King and *Joane*, Sister to King *Henry*; and so a Firm Peace being established between them, the King of *Scots* return'd home, but the Marriage was not consummated till the Year after.

[5] Also King *Henry* this Year by surprize seized the Castles of *Rockingham* and *Sanney*, against the Will of *William* Earl of *Albemarle* who then held them: *Walter* of *Coventry* gives us a particular Account of this Action, to this Effect, That the King (with his Governors) now making his Progress about the Kingdom, to see who would quietly surrender the Castles which his Father had committed to their custody, found that through all Places of the Kingdom where he went, he was not denied Entrance into any Castle, but that of *Rockingham*, which *William*, the late Earl-Mareschal, had committed to the Custody of this Earl of *Albemarle*; yet the former had repented his doing it, since there arose such great Complaints before his Death of the Violence done by those that kept that Castle, to all sorts of Men; wherefore the King laid hold of that Opportunity to remove this Grievance: for summoning in the Country to his Assistance, they presently join'd with him, hoping now to be delivered from their former Oppressions; but when those within the Garrison saw themselves streighten'd, and being unable to hold out long for want of Provisions, they quietly surrender'd it up to the King's use. But this, I suppose, gave the Earl of *Albemarle* a pretence of falling into a fresh Rebellion, as he did not long afterwards.

[1] This Year affords nothing considerable in Ecclesiastical Affairs, but that *Hugh*, late Bishop of *Lincoln*, who died in the beginning of King *John's* Reign, was now Canonized for a Saint by the Pope's Bull, in regard of the many Miracles which are said to be done by him.

[2] Also the Body of *Thomas Becket* late Archbishop of *Canterbury*, was translated out of its Stone-Coffin in the Vault, (where it was first Interr'd) into a rich Shrine made of Gold, and beset with Precious Stones, at the Charge of *Stephen Langton* his Successor, the King and *Pandulph* the Pope's Legate being present, with almost all the Bishops, Abbots, Priors, Earls, Barons, and Clergy of the Kingdom, as likewise a vast Multitude of Common People, from *France* and other Foreign Parts.

[3] Some-

[3] Sometime after this, the New Building of the Abbey-Church of *Westminster*, then called the Chapel of *St. Mary*, was began, the King himself Laying the First Stone, which has continued ever since to our times.

Anno Dom.
MCCXX.

[3] *M. P.*
Matt. West.

The Abbey-

Church at *Westminster* began to be new Built.

King *Henry* at *Christmast* kept his Court at *Oxford*, with the Earls and Barons in great Solemnity; [4] when *William de Forz*, Earl of *Albemarle*, seeking to disturb the Peace of the Kingdom, without the King's knowledge, left the Court, and retired to his Castle of *Biham* in *Lincolnshire*; where after some few days, having gather'd together many armed Men, he came in a Hostile manner to the Town of *Tenham* and plundered it, and caused the Grain of the Chanons of *Bridlington* to be carried into the Castle of *Biham*; he likewise Plundered the Town of *Deeping*, as also several other Towns in those Parts, and by grievous Torments forced the Inhabitants to redeem themselves: It was said, That *Faukes de Brent*, *Philip Marr*, *Peter de Mason*, and *Engelard de Athle*, were the chief Encouragers of this Action; and privately sent him Men to disturb the Publick Peace.

Anno Dom.
MCCXXI.

[4] *M. P. ib.*

The Earl of *Albemarle* fortifies himself in the Castle of *Biham*, and does a great deal of Mischief in the Countrey adjacent.

Faukes de Brent and others supposed to have excited him to this Action.

[5] *Id. ib.*

The E. of *Albemarle* is summoned to appear before the K. but instead of that, he seizes *Fortheringay* Castle.

The K. raises an Army, and besieges *Biham* Castle, which is surrendered to Mercy.

The E. of *Albemarle* submits himself, and is reconciled to the K.

[5] In the mean time, the Great Men of *England* having met the King at *Westminster* to treat of the Affairs of the Kingdom, the Earl of *Albemarle* was summoned to appear, and pretending to come, he went privately to the Castle of *Fortheringay* in *Northamptonshire*, which was then held by the Chief Justitiary, and having took it, Garrison'd it with Soldiers, and then return'd to *Biham*-Castle, which he new Fortified. But so soon as the King and Council had heard of this Insolence, a Great Army was raised, and presently sent to besiege the Castle; and after some time, the Besieged seeing no hopes of Relief or Escape, submitted themselves to the King's Mercy on the Eighth of *February*, who commanded that they should be all kept Prisoners till further Order; at last the Earl of *Albemarle* having before escaped out of the Castle, and withdrawn himself somewhere else, (being now sensible of his Folly) was introduced to the King's Presence by the Archbishop of *York*, and at the Intercession of *Pandulf* the Legate, the King was reconciled to him, because he had formerly been faithful both to the King his Father and Himself; then all the Knights, and other Horsemen or Servants were set at Liberty, which afterwards gave Encouragement to others to Rebel, and so expect the same favour.

Walter of Coventry is somewhat more Particular in the Relation of this Rebellion, and says, that the Earl had the Confidence upon his Fortifying these Castles, to send his Letters of Safe-Conduct to the Mayors of most of the Cities of *England*, whereby he gave them notice, that all Merchants and Tradesmen might have free Liberty of passing by his Castles, and of Buying and Selling at them; but GOD disappointed his Design, for the Legate immediately Excommunicated the Earl and all his Accomplices, which cast such a Terror, that none of the Discontented Nobility durst join with him, and thereupon the Earl of *Chester*, and other Noblemen, did all they could to mediate a Reconciliation between the King and the Earl, tho' in vain; yet seeing himself like to be Besieged, he quitted *Biham*-

Walter of Coventry's more particular Account of this Affair.

Anno Dom. MCCXXI. *ham-Castle*, and fled into the *North*, where he lay private, till his Peace was made with the King; as is already related.

[1] The same Year about the Eighth of September, *Llewellyn* King of *Wales* with a great Army besieged the Castle of *Buelt*, which belonged to *Reginald de Braonse*, who sent to the King, earnestly craving his Assistance; and he having got together an Army marched immediately thither, but the *Welsh* raised the Siege, and fled at his Approach; then he went onwards towards *Montgomery*, where after he had plundered the *Welsh* and got Forage for his Army, he built *Montgomery-Castle* to hinder their Incursions; for which Expedition the Great Men of the Kingdom granted him a *Sentage* of Two Marks of Silver out of every Knight's-Fee.

[2] Some time after, *Joane* the King's Sister was married to *Alexander* King of *Scots*, as it had been lately agreed on at *York*, and not long after *Hubert de Burgh*, Justiciary of *England*, married the King of *Scots* Sister, by the consent of both Kings, and the Advice of each Kingdom, as the Chronicle of *Mailrofs* observes.

[3] This Year affords very few Ecclesiastical Affairs, only *William* Bishop of *London* resigning his Bishoprick, *Eustace de Faukenbrege*, Treasurer of the Exchequer, was chosen Bishop of that See, on the Twenty Seventh of April. I take notice of this, to let the Reader observe, That all the Great Offices of the King's Revenue were now executed by Churchmen.

[4] Also *Pandulph* the Legate (his Legatine Commission now expiring) laid down the Ensigns of his Power at *Westminster*, having been first Elected Bishop of *Norwich* at the Pope's Recommendation: Thus the Pope had learned how to reward his Favourites with Fat *English* Bishopricks, without any Expence to himself.

[5] This Year the King kept his *Christmasts* at *Winchester*, where *Peter* Bishop of that City entertain'd him during that Festival. Immediately after the Octaves of *Epiphany*, (as *Walter* of *Coventry* informs us) *Stephen* Archbishop of *Canterbury* summon'd most of the Bishops and Great Men of *England* to a Council at *London*, to compose some Differences between *Hubert de Burgh* the King's Justiciary, and *William* Earl of *Salisbury* on the one Part, and *Ranulph* Earl of *Chester* on the other; for it was much suspected, that some Foreigners who loved Civil Dissentions more than Peace, endeavoured to persuade the Earls last mentioned to disturb it: Wherefore the Archbishop pitying the King's tender Years, and Inexperience, with the Consent of his Suffragan Bishops threatened to *Excommunicate* all those that should offer to break the Peace of the Kingdom; so that by his Mediation both Parties were reconciled. I take notice of this, because it shews the great Power of the Archbishop of *Canterbury* at that time, who not only took upon him to summon the Bishops, but the Temporal Lords likewise to a Council.

[1] This Summer a Notorious Riot happen'd in the City of *London*, upon a very slight Occasion; a great Wrestling Match was appointed between the Citizens and the Country-People near adjoining, on *St. James's Day*, wherein the Citizens were Conquerors, which was much stomached by the Steward of the Abbot of *Westminster*; he therefore appoints another Meeting at *Westminster* on the

M. P. p. 312.
The Prince of
Wales besieges
the Castle of
Buelt; but
raises the
Siege upon
the K's ap-
proach.

The Great
Men grant
the K. a Scu-
tage of two
Marks every
Knight's Fee.

[2]
Ib. p. 313.
Joane the K's
Sister is mar-
ried to the K.
of *Scots*.

[3]
M. P. Ib.
William Bishop
of *London* re-
signs his Bi-
shoprick.

*Eustace de Fau-
kenbrege* suc-
ceeds him.
[4]
Ib. p. 313.

Pandulph the
Legate resigns
his Legatine
Power.

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[5]
Ib. Ib.
A Council
held at *London*
to compose
the Differen-
ces between
Hubert de Burgh
and the Earl
of *Chester*.

[1]
M. P. p. 315.
A notorious
Riot hap-
pen'd at *Lon-
don* on a slight
Occasion.

the First of *August* following, where they that got the Better were to have a *Ram* for their Prize, to which the Citizens flocked in great numbers; but soon found they had somewhat else besides Naked Men to contend with, for the Steward and his Assistants being armed, came upon them unawares, wounded many, and put the rest to flight.

[2] Upon this the Citizens returned into the City meditating a Revenge, and met in great Numbers; *Serlo*, the Mayor, hearing of these Tumultuous Proceedings, came to them, and advised them to make their Complaint of the Injury they had received to the Abbot of *Westminster*, and if he would punish the Offenders, to take that for sufficient Satisfaction; but one *Constantine*, Sirnam'd *Fitz-Arnulf*, a Popular Citizen, opposed this Method, telling them, the Abbot and his Steward deserved to have their Houses pulled down, and levelled with the Ground; this Council was approved of, and endeavoured to be executed by the Rabble, many Houses being pull'd down, which I take the more notice of, because *Dr. Brady* in his History (misunderstanding this Passage in our Author) writes, as if the Dwelling-House of the Abbot of *Westminster*, had been destroy'd; whereas our Author (as also *Matt. Westminster*) only says, *they did the Abbot great damage* in destroying some of his Houses, or Tenements.

But since the Doctor here omits something I think very material, I shall add what our Author farther relates of this Story, viz. That this *Constantine* as he led the Mob, cryed with a loud Voice, *Mount-joy, Mount-joy, God help us, and our Lord Lewis*; which Trayterous Speech very much exasperated the King's Officers, and provoked them to a more severe Punishment of this Offence: For when *Hubert de Burgh* the Justiciary had notice of these Riotous Proceedings, *he came to the Tower with some Troops of Soldiers, and Com-manded the Principal Citizens immediately there to appear before him, and inquired who were the Authors of this Sedition, and who they were that durst presume to break the King's Peace; *Constantine* answered, *They had done no less than they ought, and that they would stand by it*; it seems he trusted too much to the Oath which had been mutually sworn by King *Henry* and Prince *Lewis*, that the Partakers on both sides should be indemnified; but when the Justiciary had heard this insolent Speech of his, he dismissed all the rest besides *Constantine* and his Nephew, and one *Geoffrey*, that join'd in *Constantine's* Proclamation, and these Three he order'd to be hang'd the next Morning; then *Faukes de Brent* with a strong Guard carried them by Water to the Place of Execution; but when the Rope was about *Constantine's* Neck, he offer'd Fifteen Thousand Marks of Silver for his Pardon, (for it seems he was very rich) tho' it was to no purpose, the Execution being perform'd without any Noise, or knowledge of the Citizens.

Then the Justiciary and *Faukes* (above-mentioned) with a strong Guard of armed Men went into the City, and whomsoever they found guilty of the late Sedition were clapp'd up in Prison, some of them having either their Hands or Feet cut off, were let go; wherefore many being afraid of the like Punishments, fled out of the City, and never return'd thither any more: Yet the King was not satisfied with all this, but to be revenged upon the Citizens, he

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[1]

Id. Ib.

The Mayor
strives to quie
et the Tumult
but is opposed
by one Con-
stantine a Ci-
tizen.

[3]

Id. Ib.

Constantine
makes a Tray-
terous Procla-
mation to stir
up the Mob.

Hugh de Burgh
goes into the
Tower, and
there enquires
into the late
Riot.

Reg. Wen. MS
in Bib. Cotton.

Constantine ju-
stifying what
he had done
is ordered to
be Hang'd, to-
gether with
Geoffrey his
Nephew, and
another Per-
son.

Constantine at
his Execution
offers 15000
Marks for a
Pardon.

[4]

Id. Ib.

Many others
are clapt up
in Prison, and
lose their
Hands, or Feet

turn'd

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turn'd out all the Magistrates, and put in new ones; *Matt. Westminster* adds, that this over great Severity, and sudden Execution of so many considerable Persons without due form of Law, (though they really deserved the Punishment inflicted on them) render'd the Justiciary and *Faukes* justly odious to the Citizens ever after.

[5]

Id. lb.

This Execution is afterwards alledged by King *Lewis* as a Pretence, why he would not observe the Oath he had made to K. Henry.

Nor can I omit, what [5] *Matt. Paris* further inserts in this Relation, that *Lewis*, when afterwards King of *France*, made the Execution of these Traytors a Pretence, why he would not observe his Oath to restore to King *Henry* his Rights in *France*, alledging, That by the Articles of Peace, the Partakers of *Lewis* (among whom he would have had this *Constantine* and his Accomplices included) were to be indemnified, which was a very frivolous Pretence, since that Indemnity was intended only to include those who had then taken up Arms against King *Henry*, not whosoever should Rebel against him, or raise Sedition for the future.

The K. makes Thirty Persons to become bound for the good Behaviour of the City of London.

Immediately after this Riot, and Execution of these Incendiaries, the King named Thirty Persons to be Security or Pledges for the Good Behaviour, Peace, and Faithful Service of the City of *London*, the Community (or Body-Corporate) whereof bound themselves to the King by Charter, Sealed with their Common Seal, to deliver up those Sureties to the King or Justiciary, whenever they were called for; and if any of them died, to add others in their stead; so Arbitrary was the King's Power over the City of *London* in those times. This is mention'd by no Historian, but the Recognizance is found upon *Record in the *Tower*, and is printed at large in the † Doctor's *Appendix*.

* *Rot. Pat.* 7.

H. 3. M. 5.

† No. 147.

[1]

M. P. lb.

A Synod held at *Oxford*, and what was done there.

[1] As for Ecclesiastical Matters, *Stephen*, Archbishop of *Canterbury*, held this Year a General Synod of the Clergy at *Oxford*, in which many things were decreed for the Reformation of the *English* Church and Monastick Discipline, which being wholly Ecclesiastical, I refer the Reader to Sir *Henry Spelman's* Second Volume of Councils.

[2]

Id. ib.

Two Impostors condemn'd to be immur'd between four Walls.

[2] At this Synod a Man was seized and conven'd before them, who had made upon his Body certain Marks or Wounds like those of *Jesus Christ*, whom he also pretended to be; This wicked Impostor, being brought before the Bishops assembled in this Council at *Oxford*, (according to *Matt. Westminster*, or as *Matt. Paris* says, tho' not so likely, at *Canterbury*) was by them condemn'd to be immur'd till Death between four Walls; as was also a Woman who called her self *Mary* his Mother.

[3]

Id. p. 313.

An Account of the Defeat of the Christian Army in *Egypt*.

If we look into Foreign Parts, we find [3] from a Letter which *Philip de Albiney* (being then in the *Holy-Land*) wrote this Year to *Ranulph* Earl of *Chester*, who was now return'd from thence, that after the taking of the City of *Damiata*, the Christian Army, under the King of *Jerusalem* and Duke of *Austria*, would needs go from thence to find out the Sultan of *Babylon*, who lay Encamped a Day's march up the River *Nile*, which there divided it self into two Branches, (and was then upon its Increase) whereupon the Sultan opening a Chanel that join'd the two Rivers, let the Waters in upon them, insomuch that they stood up above the Knees, whereby their Provisions were all spoiled; and this reducing them to almost a starving Condition, the Christian Princes were forced to make a Truce with the Sultan for Eight Years, and to set at Liberty all the Slaves

Slaves they had taken; and all the Advantage they received by it, *Anno Dom. MCCXXII.*
 was, that the *Saracens* were likewise to set free their *Christian* Slaves, and to deliver up that which was supposed to be part of the True Cross, into the hands of the *Christians*; as does further appear by [4] another Letter from *P. de Montacute*, Master of the *Templars*, *Id. p. 312.*
 to the Prior of the same Order in *England*.

[5] This Year the King kept his *Christmast* at *Oxford*, and on the Thirteenth of *January* met his Barons in a Council or *Parliament at *London*; where the Archbishop of *Canterbury* and other Great Men requested, That he would be pleased to confirm the Liberties and Free Customs, for which the War was begun with his Father; urging moreover, that when Prince *Lewis* departed from *England*, both He and all the Nobility of the Kingdom had sworn to observe, and cause to be observed all those Liberties, and therefore the King could not in Reason and Justice refuse to do it; whereupon *William Brivere*, one of the King's Councillors, replied, *That the Liberties they desired were violently extorted, and therefore ought not to be observed*; but the Archbishop being much provoked at this reproved him, saying, *If he loved the King, he would not hinder the Peace of the Kingdom*: The King seeing the Archbishop so moved, assured him, that he had bound himself by Oath to preserve their Liberties, and what he had sworn to should be observed; and having called his Council, he forthwith sent his Letters to all the Sheriffs of the Kingdom, to make Enquiry by the Oath of Twelve Knights, or Legal Men in every County, what were the Liberties of *England*, in the time of King *Henry* his Grandfather, and to send a return thereof to *London* Fifteen Days after *Easter*; So that if the King had been as Obstinate and Unadvised as his Father, this Man's Advice might have produced another Civil War; but so long as he hearkned to the Council of this Archbishop, all things went well with him: yet when he began to give Ear to strangers, (as he did some years after) nothing followed but perpetual Quarrels, which at last produced Civil Wars and Confusion, as you will hear in due time.

Yet the Contents of the Writ it self (which directs this Inquisition) do in some things differ from this Report of *Matt. Paris*; for according to this Writ, the Sheriffs were commanded to make Enquiry by the Oath of Twelve of the most Legal and Discreet Knights of their Counties, in a full County-Court, what Customs and Liberties King *John* his Father had granted the day in which the War began between him and his Barons, concerning Lands and other Things, within Burghs and without, and to cause them to be proclaimed, and observed in their Counties; and ordered this Inquisition and Writ to be return'd to the King at *Westminster*, on the Morrow of the close of *Easter*; which Writ is still upon *Record in the Tower.

This Year also (as *Walter of Coventry* informs us) there was a Poll-Tax granted in a Common-Council of the whole Kingdom, for the Succours of the *Holy-Land*; for every Earl Three Marks, for every Baron One Mark, for every Knight Twelve Pence, and from all that had Houses One Penny. I take the more notice of

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[5]

Id. lb.

Colloquium.
 A Council, or Parliament, where the Great Men demand a Confirmation of the Liberties granted by the King's Father.

The K. consents to do it, notwithstanding the Opposition of *William Brivere*, and thereupon issues his Writs to all the Sheriffs of *England*, to inquire and certify what they were.

The Writ still extant upon Record gives light to, and confirms the History, though it differs somewhat from it.

Rot. Claus.
 7 H. 3. M. 14.
Dors.

Vid. Dr. B.
App. nd. N. 149.
 The Common Council granted a General Tax for the Relief of the *Holy-Land*.

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MECCXXIII.

this, because it is mention'd in no other Author, but whether this Council were the same in which there happen'd that Dispute about the Confirmation of the Great Charter, I shall not determine; though it seems more likely to be another more General, and to which the Commons were likewise summon'd, as appears by those who gave this Benevolence, being all sorts and degrees of Persons in England.

[1]
M.P. p. 317.
Llewellyn Pr.
of Wales takes
the Castles of
the Earl-Ma-
reschal, and
uses great
Cruelty to the
English.

The Mareschal
returne
out of Ireland,
retakes his
Castles, and
revenges the
Injuries done
by Llewellyn.

The Welsh
Chronicles
give a differ-
ent Account
of this War.

[1] Sometime after, whilst William Mareschal Earl of Pembroke, (Eldest Son of the former, deceased) was taken up in making War in Ireland, and subduing Hugh de Lacy and others to the King's Obedience, Llewellyn Prince of Wales laying hold of this Opportunity, took two of his Castles, and cutting off the Heads of all the English put Welshmen into their Places. The Mareschal having notice of what was done, return'd with great speed into England, and forthwith besieged those Castles, and retook them, and served the Welsh in the same manner as had been done to the English before, and then marched into Llewellyn's Country, wasting all with Fire and Sword; and totally defeated the Welsh, by killing and taking Prisoners about Nine Thousand, except a few who made their escape by flight.

But the Welsh Chronicle (put forth by Dr. Povel) relates this Expedition far otherwise, and makes it to have ended much to the advantage of the Prince of Wales; for he says, That William Earl Mareschal coming from Ireland, landed at St. David's with a great Army, and presently laid Siege to the Castles of Abertivie and Caerddigan, and took them without any Resistance, and from thence marching to Caermarden, likewise took that; which when Prince Llewellyn heard, he was much displeased at it, and sent Grifffith his Son to put a Stop to the Earl's Success; so he passing the River Tivie at Caermarden, was met there by Grifffith, who gave him Battel; but this proved very doubtful, for it lasted till Night, and then both Parties retreating, left the River between them; and after they had layn so for some time, Grifffith was fain to return home for want of Provisions his Army consisting of near Nine thousand Foot; Upon this the Earl went to Kilgarren, and there began to build a strong Castle; presently after which, receiving Letters from the King to come to speak with him, he went away by Sea, and left his Army to finish the Work he had begun.

Then the King and the Archbishop of Canterbury being at Ludlow, sent for the Prince of Wales, and would fain have brought him and the Earl to a Reconciliation, but that could not be effected, and so they parted; but when the Earl would have passed to Pembroke by Land with the Forces of the Earl of Derby, and Henry Pygot, Lord of Ewyas, the Prince sent his Son to keep the Passage at Carnwylhion, and he himself came as far as Mabedryd.

The Earl Understanding this, return'd back to England, and the Prince went into North-Wales: But I could have wished that some of these Authors would have told us the Reason of Prince Llewellyn's beginning this War, which appears to have been done without any, or but very small Provocation.

But

But, it seems, for all this relation of the *Welsh-Chronicle*, this Prince was sometime after sensible of the Injury he had done the King, and so at length prevail'd to be reconciled to him, as appears by his Charter still upon *Record in the *Tower*, and is cited by Dr. Brady, to this Effect, viz. That he had sworn to give satisfaction to his Lord Henry King of England, and his People, within a reasonable Time, to be prefixed by the Archbishop of *Canterbury*, for the Damage done them by his People, from the Day of the taking of the Castle of *Kynardesly* unto the Day of his Absolution; That is to say, *Saturday* the Seventeenth of *October*, in the Seventh Year of King Henry's Reign; and for the Performance hereof there were bound with him *Mareduc* the Son of *Robert*, and several others; with which Record agrees **Walter Hemingford's Chronicle*, which says, that this Prince *Llewellyn* finding himself too weak to maintain a War against King Henry, now desired Peace, and it was granted him upon condition, that the Great Men of his Dominion should do the King Homage, and that he should quit his Right for ever in those Castles with their Appurtenances which *William* the Earl-Mareschal had lately taken from him; and also he obliged himself to make satisfaction for the Damage he had done the King's Subjects, and that for the Performance of these Articles he gave Hostages of the most Noble Persons in his Country.

[2] This Year about the Feast of *St. Peter ad Vincula*, deceased Philip II. King of *France*, of a Feaverish Distemper, after a long Reign of Forty four Years. He was a Prince of great Prudence, Courage and Conduct, and was an equal Match in all those respects with *Henry* and *Richard*, late Kings of *England*; and as much Superior to King *John* and his Son the present King *Henry*, as a Man perfect in Military and Civil Affairs could be, to the Former that was absolutely devoted to his own Will and Pleasure, and to the Other, as he was destitute of Prudence, Courage and Power: Therefore it is no great wonder, if he extended his Territories farther than any of his Successors were able to do for a long time after.

For though I grant that divers of them have carried their Conquests as far as *Italy*, *Germany*, and the *Low-Cauntreys*, yet they have for the greatest part of them proved meer Temporary Acquisitions, either recovered by Force, or else restored upon Treaties, to their right Owners, after long and expensive Wars.

And though the *French Writers* do give this Prince the title of *Augustus*, yet it is evident that when the *Lyon's Skin* alone would not serve turn, he knew how to make it out with that of the *Fox*, doing more by Subtilty, Breach of Faith, and taking all manner of Advantages, than by down right Force and Power; which methods of Grandeur have been also follow'd by some of his Successors, for the truth of which the Reader may consult the Histories of Antient as well as Modern Times. But to return again to the Subject we were treating of.

[3] When the King had notice of *Philip's* Death, he sent the Archbishop of *Canterbury*, with Three other Bishops to *Lewis* his Son, to demand the Restitution of *Normandy*, with all other his transmarine Dominions, according to his Oath when he left *England*; To this the *French King* answered, That he was justly possessed

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The Welsh Pr. not long after concludes a Peace with K. Henry, and on what Terms.

*Rot. Pat. 7 H. 3 M. 2. Dors. Com.

P. 532.

[2]

M.P. p. 317. The Death of Philip King of France: His Character.

[3]

Id. lb. The K. sends to Lewis the New King of France, to demand Restitution of his Dominions there, but receives no satisfactory Answer.

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possessed of *Normandy* and those other Dominions and Territories, and was ready to make it appear in his own Court, if the King of *England* would come thither, and stand to the Law; adding, That the King of *England* had also violated his Oath in putting those of his Party whom he had taken at *Lincoln* to a grievous Ransom; and likewise that those Liberties, for which the War was begun, and which were granted and sworn to at his departure, were not observed: Upon this, the Archbishops and Bishops perceiving they could obtain no other answer, return'd into *England*, and gave the King an account of it.

Rad. de Cog.
gives somewhat a different Account of this Transaction.

But *Rad. de Coggeshal* gives us somewhat a different Account of this Transaction; as that upon this Ambassy, the King of *France* desired time to give his Answer to these demands, till Eight days after the Feast of *All Saints*; and then at the time appointed, the King sent two other Bishops, (*viz. Pandulph*, the late Legate and now Bishop of *Norwich*, and the Bishop of *Ely*,) to receive his final Answer; but when they came into King *Lewis's* Presence, and renewed their Demands, he seemed very much displeased, and alledged, That King *John*, the Father of *Henry*, had been deprived of all his Dominions in *France* for many just Causes, by the Sentence of all the Peers and Barons of that Kingdom; and also added divers Threats against King *Henry* himself, if he offer'd to persist in those Demands. Which of these Two answers is nearest to Truth, I shall not dispute; only it plainly shews, that no Oath, though never so solemnly taken, (particularly when it concerns somewhat to be done in a time that seems remote) is able to bind Princes to act contrary to their present Interests, especially when the General Good of their Kingdom is also concerned, as it was in this Case.

[4]
M. P. p. 318.
Many of the Great Men are highly displeased with *Hubert de Burgh* the Justiciary, and on what Grounds.

[4] This Year many of the Great Men of *England* made mighty Complaints against *Hubert de Burgh* the Justiciary, alledging, That he exasperated the King against them, and did not duly administer Justice; but that which more especially provoked them, was, that those Messengers he had sent to *Rome*, were return'd with a Bull from the Pope, directed to the Archbishops of *England*, and their Suffragans, declaring the King to be of full Age, and that all the Affairs of the Kingdom should be managed by Him and his Council; the Bull it self was to this Effect, 'That by the Pope's Apostolick Authority, they should declare to the Earls, Barons, Knights, and all Others who had the Custody of the King's Castles, Honours and Towns, that upon sight of those Letters they forthwith should surrender them to the King; and whoever refused, they should compel them by Ecclesiastical Censures. But notwithstanding this Bull, the greatest Part of the Earls and Barons (although admonished by the Bishops) did not render up their several Trusts, but conspired together to put themselves in Arms, to disturb the Peace of the Nation, rather than give the King satisfaction in the Premises.

Some other Causes of the Great Mens Displeasure against the Justiciary, but chiefly because he had over-reach'd them.

The Abbot of *Coggeshal* agrees with this for the most part, but adds further, That *Hubert de Burgh* the Justiciary, presuming too much upon the King's Favour, carried himself very severely in his Acts and Judgments toward the other Noblemen of the Kingdom, who being

ing thereupon extremely incensed against him, did all they could to prevail with the King to remove him from his Place; Whereupon to give them some satisfaction, he took a Politick Course, and presently demanded of his Justiciary the Custody of those Castles which he had received from him, such as were that of *Dover* and the *Tower of London*, yet on this Condition, that the rest of the Barons and Constables of Castles, should in like manner deliver up the Custody of their Castles into his Hands; which being surrender'd by most of them, the King restored to *Hubert de Burgh* all his said Governments, but left the others deprived of theirs: This caused such great Heart-burnings in the Barons against Him, that most of them forthwith withdrew themselves from Court; which if it were true, though this Undutifulness of the Barons is no ways to be justified, yet certainly the King contributed very much toward it, by dealing thus Artificially and Partially with them: But this Method produced the like Effects, as such seeming wise Councils commonly do, to compose things for the present, and afterwards make them ten times worse. This Year does not produce any thing else considerable in *England*, only that *John de Brenne*, the Titular King of *Jerusalem*, having had ill success in *Egypt*, as you have already heard, came into *England*, to implore the King's assistance to recover his Territories in the *Holy-Land*.

Anno Domini
MCCCXXIII.

[5] The next Year the King kept his *Christmass* at *Northampton*, together with the Archbishop of *Canterbury* and his Suffragans, and a great number of Military Men; but the Earl of *Chester* with his Faction kept that Feast at *Leicester*, swelling against, and threatening both the King and the Justiciary, because he was commanded to deliver up the Castles and Lands he held in his Custody: Whereupon the day following, the Archbishop and his Suffragans Excommunicated in general Terms all Disturbers of the King and Kingdom, and Invaders of the Church, or its Rights, and then gave notice to the Earl of *Chester* and his Accomplices, that unless the next Day they resigned into the King's Hands all the Castles and Honours, that belonged to the Crown, they should all be Excommunicated by Name, as the Pope had commanded: Then the Earl, and those that were with him, fearing the King's Power, and dreading the Church's Censures, came to *Northampton*, submitted themselves, and render'd the Castles and Honours that were in their Custody into the King's Hands; However these Barons Indignation was not appeased, because the Justiciary continued still in his Office.

Anno Domini
MCCCXXIV.

[5] The Earl of Chester and divers of his Faction going about to disturb the publick Peace, the Bishops threatened to Excommunicate him with all his Adherents.

Of which Sentence they being afraid, submit themselves, and surrender their Castles.

The chief Authors of this Disturbance were the Earls of *Chester* and *Albemarle*, *John* Constable of *Chester*, *Faukes de Brent* with his Castellans, *Robert de Vipont*, and several other Barons, who, being unwilling to resign what they had unjustly acquired, endeavour'd to disturb the Peace of the Kingdom.

[1] *Lewis* King of *France* being encouraged by these Domestic Dissentions, declared War against King *Henry* on this Pretence, (as [2] the *French* Historians relate) That whereas *Aquitain* was held of the Crown of *France* by Homage, *Henry* of *England* being not hinder'd by Sickness, nor other necessary Occasions, had neither appeared at *K. Lewis's* Coronation, nor excused himself

[1] M. A. p. 326. The French King makes War upon K. Henry.

[2] Paul. Am. l. 1. c. 8.

by

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And takes Ro-
chel.

[3]
Vid Hist. Ann.
Regis Lud.
Franc. Vol. 4.
p. 399.

[4]
M. P. ib.
* Colloquium.
A Parliament
at Northamp-
ton, where
the K. taking
advice to re-
cover his lost
Dominions is
disturbed by
the Rebellion
of Faukes de
Brent; with
the Occasion
of it.

[5]
Id. ib.
The K. and
his great
Council re-
solve to re-
duce the Ca-
stle by Force.

by his Ambassadors, as he ought in Duty to have done; yet this was but a Pretence to pick a Quarrel, for he made no such Demand when King *Henry's* Ambassadors were lately with him: But finding indeed that he had him now at an Advantage, he refused to restore what his Father had unjustly Conquered, and raising a vast Army Invaded *Xantoigne*, and Besieged *Rochel*, offering the Citizens a great Sum of Money to surrender the Town, and swear Allegiance to him; the *Rochellers* seeing themselves forsaken by the King of *Eng-land*, consented to it, and delivered it up to the *French* King, who placing a Garison therein, return'd home without shedding one drop of Blood. Thus was that brave City, the Key of that Part of *Poitou*, lost, for want of a sufficient and speedy Relief: Yet some of our own (as well as the [3] *French*) Historians also relate, that *Savary de Maleon* defended it very gallantly for a long time, and the latter also tell us, (what it seems ours do not) that he finding himself deluded by the Ministers of the King of *England*, (who in- stead of Money to pay the Garison, sent him a Barrel full of *Old Iron*) was obliged to surrender the Town on the Twenty Eighth of *July*, and that afterwards he was like to be question'd, as if he had delivered it by Treachery; but not being willing to an- swer this Accusation in *England*, where he had so many Enemies, he quitted King *Henry's* Service, and went over to the King of *France*, which is also confirm'd by some of our own Historians.

[4] Then on the *Octaves*, that is, Eight days after *Trinity*, the King at a Council or *Parliament at *Northampton*, met the Archbishops, Bishops, Earls, Barons, and many others, to treat about the Affairs of the Kingdom, as also to take the Advice of his Great Men con- cerning his Dominions beyond Sea, which the King of *France* had seized on, but the following Rebellious practice broke those Mea- sures; for at that time *Martin de Pateshulle*, *Thomas de Muleton*, and *Henry de Braibrock* the King's Justices Itinerant, sitting at *Dunstable* upon Pleas of *Novel-Disseisin*, no less than Thirty Verdicts were found against *Faukes de Brent*, in Tryals for Lands unjustly taken from their Owners, for which Violences he was Fined an Hundred Pounds to the King; which when *Faukes* was informed of he was so much Incensed at it, that immediately he Fortified his Castle at *Bedford*, and from thence sent out his Brother with some Armed Men to take the Justices, and bring them thither Prisoners; but they having notice of his Design, two of them made their Escape, only *Henry de Braibrock* was taken in his Flight, and being cruelly handled was kept Prisoner in the said Castle, till it was taken. *Matt. of Westminster* farther relates, That *Faukes de Brent* was then in secret Confederacy with the King of *France*, and raised this Disturbance on purpose to hinder King *Henry's* intended Expedition thither; but this is not likely, since that King was so far from re- warding him for this Action, that he clapt him up in Prison, so soon as he came over, as you will find anon.

[5] But this is certain, That the King and his Great Council, be- ing highly Displeased at this Insolence and Violence done to his Justiciary, unanimously resolved to lay aside all other Business, and by force of Arms to reduce the Castle; but first the King's Messen- gers summoned them within to surrender it, and were answered by

William

William de Brent, (Faukes his Brother, That they did not look upon Anno Dom. themselves obliged to deliver it, unless they were Commanded by their Lord MOCKXIV. so to do, because they were not bound by Homage and Fealty to the King.

This Sawty Answer so highly exasperated him, that he ordered the Castle to be immediately Belieged, and threatned (if it was taken by storm) not to spare one Man; whereupon the Archbishop and Bishops Excommunicated Faukes and all that were Garison'd with him in the Castle; but neither the King's Threats, nor the Ecclesiastical Censures, could for a good while prevail with them to yield: But at last after many Attacks and Batteries with Warlike Engines used against it, and the loss of a great many Mens Lives on both sides, the Castle was Surrender'd to discretion, after Nine Weeks Siege.

[1] Upon this *Henry de Braibrock*, who was all this time kept a Prisoner in the Castle, was set at Liberty; but those that were taken Prisoners, being Four and Twenty in all, both Knights and Squires, were hanged for their Rebellion in holding out so long, of whom *William de Brent* the Brother of *Faukes* was Chief: and then the King caused the Castle to be razed to the Ground, so that of all that Strong and Noble Structure, no sign except the Mount remains at this Day; but the Scite and Lands about it were restored to *William de Beauchamp*, who lay'd claim to it: As for *Faukes's* Wife, the Lady *Margaret Rivers*, she together with her young Son *Thomas* having no ways consented to his Crime, was committed to the Custody of the Earl of *Warren*.

[2] There happen'd nothing else worth noting during this Siege; but that at this Great Council held at *Bedford*, the King had granted him for his late great Labour and Expences, as well from the Prelates, as Lay-men, throughout *England*, a Carucage of Two Shillings on each Plough-Land, and then the King granted to the Great Men to take *Scutage*, (*viz.*) from every * Knight's-Fee held of them Two Marks, and so they all return'd home well enough content.

But *Walter of Coventry*, who is more exact in his Account of this Tax, in Relation to the Clergy, tells us, That *Stephen* Archbishop of *Canterbury*, and his Suffragans, with all the Abbots, that then appeared, granted out of each Plough-Land of the Bishops and Abbots that held by Barony, as also of their * Tenants, half a Mark; and of each Plough-Land held by Abbots and Priors, who did not hold by Barony, and their * Tenants, Two Shillings; and lest any undue Custom might arise by reason of this great Tax, the King granted to them all a Charter under his Seal, wherein he recited the said Grant, and promised, That it should not be drawn into Example for the future.

I have been the more Exact in this Relation, because it gives us a great Light into the Manner of giving Taxes and Aids in those Days.

But to give you some further Account of [3] this *Faukes de Brent*; you must understand, that he had been encouraged underhand by some of the Barons, to run into this Rebellion, upon promise that they would fall-in and join with him; but they failing him, he was at the beginning of the Siege gone into *Cheshire* and *Wales*, to raise more Men; nor had those in the Castle held out so long, had not they expected speedy Assistance from him; but when

The besieged refusing to deliver it are Excommunicated.

The Castle is Surrender'd after nine Weeks Siege) and Henry de Braibrock is set free.

[1] Id. 16.

William de Brent, and several other Persons of Quality are Executed.

[2] Id. p. 322. The K. has a Scutage granted him by the Great Council for late Expences. Scuta.

How the Clergy then Taxed themselves and their Military Tenants.

* *Hominum Subarum.*

[3] Id. 16. R.C. A farther Account of the Cause of Faukes's late Rebellion.

Anno Dom.
MCCXXIV.

Who at last
surrenders
himself to the
King's Mercy.

he saw he could raise no Forces, and heard that his Castle was taken, he then by the Intercession of *Alexander* Bishop of *Coventry*, was introduced into the King's Presence at *Northampton*, where falling down at his Feet, he employed his Mercy, urging his great Services to the King and his Father in the late Wars; and thereupon the King, by the Advice of his Great Council, (having first seized all his Castles, Lands, and Goods) committed him to the Custody of *Eustace* Bishop of *London*, till further Order, where we shall leave him for a time.

Anno Dom.
MCCXXV.

[4]

M.P. p. 321.
* *Et Populo cum
Magnatibus
Regionis.*

The K. holds
a Great Coun-
cil, wherein
he demands
an Aid to re-
cover his lost
Dominions
beyond Sea.

They grant
the K. a Fif-
teenth of all
their Goods,
on condition
he would con-
firm the Great
Charter,
which he a-
grees to.

A farther Ac-
count of the
manner of
granting this
Aid to the K.

The Persons
that appeared
at this Great
Council.

* *Tractatus dis-
fustore, cum
Clericis & Populo.*

[4] This Year being the Ninth of King *Henry's* Reign, he kept his *Christmas* at *Westminster*, the Clergy, and * People, with the Great Men of the Kingdom, being all there attending: In this full Assembly *Hugh de Burgh* the King's Justiciary, declared the Damages and Injuries the King sustained in his Dominions beyond Sea, whereby not only He, but also several Earls and Barons were outed of their Possessions, and seeing many were concern'd, the Assistance ought to be proportionable; therefore told them, the King required their Council and Aid, that the Royalties of the Crown, and their antient Rights, might be recovered; for the retrieving of which, he thought the *Fifteenth* Part of all Moveables, both of Ecclesiasticks and Laicks might be sufficient: This being propounded, the Archbishops, and all the Bishops, Earls, Barons, Abbots, and Priors, after some deliberation, return'd the King this Answer, *That they would readily gratifie his Desires, if he would again confirm their long desired Liberties*: Hereupon the King agreeing to the Request of his Great Men, many Charters were forthwith wrote, and Sealed with the King's Seal, and one of them directed to every County in *England*; and to the Counties wherein were Forests, there were sent two; One, concerning their *Common Liberties*, the other concerning the *Liberties of the Forests*. The Tenor of both these Charters (our Author tells us) is to be found in the History of King *John*, both being exactly alike. But that they differ in divers Particulars, I shall shew when I come to speak further of this Charter, at the end of King *Henry's* Reign.

I must here take notice of what the Annals of *Waverly* farther add, *viz.* That for this Grant and Concession the Archbishops, Bishops, Earls, Barons, Knights, and Freeholders of the whole Kingdom, Gave and Granted to the King a *Fifteenth* Part of all their Moveables; and that the Monks of the *Cistercian* Order (of which the Writer of these Annals was) gave the King Two thousand Marks of Silver, as well for the Confirmation of their Liberties, as for his Favour and Good Will; likewise that the *Jews* in *England* presented him with Five thousand Marks at the same time.

Walter of *Coventry* is also very particular in the Relation of this Tax that was now granted in this Council or Parliament, which, was held at *London* at *Candlemas*; where met not only the Great, Men, but, as he says, a * Larger Assembly of both Clergy and People, who were then summon'd; wherein the King granted the Liberties both of Church and Kingdom, as also those of Forests, as his Charters sent into the several Counties do testifie more at large; and that there was then granted by the Barons, Clergy, and People there

there present a *Fifteentb* of all their moveable Goods by their Common Assent, besides those that belonged to Churches.

Anno Dom.
MCCXXV.

[5] This Affair the Pope himself very much promoted, writing a Letter or Brief to the Archbishops, Bishops, Abbots, and other Clergy, commanding them to grant a voluntary Competent Aid to the King; but yet with a *Saving Clause*, that it should not be drawn into Example. Then our Author proceeds to tell us, what Things were excepted out of this Grant, (*viz.*) their Horses, Ploughs, Arms, and Household Utensils; as also their Jewels and necessary Provisions for House-keeping; the Clergy also excepted their Books, and the Treasure or Ornaments of their Churches; but that none of any Sex or Condition were excepted from payment, but only the Orders of the *Cistercians* and *Præmonstrants*, with the *Knight-Templars* and *Hospitallers*; also that all *Merchants or Tradesmen gave a *Fifteentb* of all their Merchandise or Commodities, (their Household Goods and Provisions only excepted;) Upon this the Archbishop and Bishops *Excommunicated* all those, who should commit any Fraud in the Raising, or Hinderance in Payment of this *Fifteentb*, the one Moiety of which, was to be paid at the Feast of the *Holy Trinity*, and the other Moiety at *Michaelmas* following.

[5] The Pope himself promoted this Grant to the King by the Clergy, with a *Proviso* that it should not be drawn into Example.

**Michaelsmas*.

But besides this *Fifteentb*, it seems before the Year was out, the King had need of a Subsidy from the Clergy, which they being unwilling to grant, Pope *Honorius* the Third sent over a Bull (at the King's earnest Desire) whereby he commands the Bishops and Clergy to grant him a sufficient Supply for his present Occasions, as appears by the Bull it self, which is upon *Record in the *Tower*; but whether they did then comply with the Pope's Commands or no, I know not; nor can I find any thing more given by the Clergy till near two Years after.

The K. demands another Subsidy from the Clergy, before the End of the Year.
**Rot. Pat. 3. H. 3. Pars. 1. Dors. Printed in Prym's 2d Vol. of Papal Usurp. p. 396.*

[1] Then a Day was set, being a Month after *Easter*, for the Choice of Twelve Knights, (being Legal Men out of each County, that is, such as were fit to be Impanelled on Juries) who upon Oath should distinguish and sever the New Forests from the Old ones; and whatever Forests were found to be made after the first Coronation of *Henry the Second*, were forthwith to be dis-forested: The Council being ended, the Great Charters were carried to every County, by the King's Command, and every one sworn to observe them; the way and manner of Levying this *Fifteentb* was directed by the King; and because it was very particular, and worth noting how *Fifteenths* were Taxed in those times, I refer the Reader to the *Record it self, as it is printed in *Dr. Brady's Appendix*, since it is too prolix to bear any Abridgment.

[1] M.P. p. 321. Twelve Kts. appointed to sei out the New Forests from the Old Ones.

[2] On *Candlemas-Day* following the King knighted his Brother *Richard*, and Ten Noblemen with him, and then made him Earl of *Cornwall* and *Posidon*; in the Spring he sent him accompanied with *William* Earl of *Salisbury*, *Philip de Albiney*, and Sixty Knights into *Gascoigny*, and he arriving at *Bordeaux* on *Palm-Sunday*, was honourably received by the Archbishop and Citizens there. Then Earl *Richard* opened to them the King's Letters, in which he desired all those that bore Allegiance to him in those Countries, to give their Aid and Advice to his said Brother, for the Recovery of his lost Dominions; upon this a great many Knights and Soldiers resorted to, and received Wages from him,

[2] Richard the King's Brother is made Earl of Cornwall, and sent over with William Earl of Salisbury into Poitou, to recover the King's lost Dominions.

Anno Dom.
MCCXXV.

He raises an
Army, and
marches into
Gascoigny, and
there reduces
several Castles
to the King's
Obedience.

[3]
*Vol. 4. Script.
France p. 399.

The French
Historians re-
late this Expe-
dition more to
the Advan-
tage of their
own King.

[4]
The French
Historians
greatly mista-
ken in their
relations of
this War.

[5]
M. P. p. 324.
*Colloquium.
Another
Council or
Parliament,
wherein Faukes
de Brent is Sen-
tenced to ab-
jure the King-
dom for ever.

His Message
to the King at
his departure,
laying the
Fault on di-
vers Great
Men of Eng-
land.

Faukes is seized
by the French,
and sent Pri-
soner to King
Lewis, who
discharges
and sends him
forthwith to
Rome.

him, and then he marched with a great Army through *Gascoigny*, and seized the Castles of such as refused to do Homage, and swear Fealty to King *Henry*, and when he met with any Opposition, he reduced them by Force; so that in a short time he subdued all that Country, having first obtained a great Victory over the Earl of *Marche*, who was sent by the King of *France* to raise the Siege of *La-Reaule-Castle*.

[3] But an Anonymous Author of *K. Lewis* the Eighth's Reign, as also **Rigord* relates this Expedition much otherwise, and the latter French Historians follow them; for they say, That *Richard*, Brother to this King of *England*, landing at *Bordeaux* with Three hundred sail of Ships, marched out, and besieged the Castle of *St. Marcharius*, which being taken, he went forward to the Town of *La-Reaule*; but that making a long and vigorous Resistance, and the King of *France* being resolved to raise the Siege, he sent an Army of Mercenary Soldiers, upon whose Approach he effected it accordingly, and Earl *Richard* retreated as far as to the other side of the River *Dordogne*; but the French not being able to pass any further, because of the River, sat down, and besieged the Castle of *Limric*, and brought the Lord of *Bragaret* under the Obedience of King *Lewis*; which the English perceiving, and not daring to meet the French again, they took Shipping, and together with the Earl passed over into *England*.

This is the Sum of the Account of the [4] French Authors who lived about that time; but yet they are (for all that) in great part mistaken as to this Action; for though the Earl of *Cornwall* met with ill Success, notwithstanding he had certainly the better at first, yet, whatever the French Historians say to the contrary, he did not then leave *France*; for you will find anon that he remain'd in *Gascoigny* till the Year following.

[5] In March the Great Men met the King again at *Westminster* at a Council or *Parliament, where he commanded them to declare what Sentence should be given against his Traytor *Faukes de Brent*; whereupon the Nobility agreed with the King in this, That because both his Father and himself had done faithful Service to the Crown for several Years, he should neither lose Life nor Limb, but should for ever hereafter abjure the Kingdom: Upon this the King commanded *William* Earl of *Warren* safely to conduct him to the Seaside; but as he was going on Ship-board, he adjured the Earl with Tears in his Eyes, to let the King know, That whatever he had done, was by the Encouragement of many of the Great Men of *England*.

Then he went over into *Normandy*, attended only with Five Servants or Followers, where as soon as he was Landed, he was taken Prisoner, and delivered up to the King of *France*; by whose order he was Sentenced to be Hanged for the Injuries he had done that Nation; yet upon his purging himself by Oath, and having vowed to undertake the *Crusado*, he was Pardon'd, and sent forthwith to *Rome*; where notwithstanding his demolishing of *St. Paul's Church*, which stood too near his Castle of *Bedford*, and his Sacrilege committed upon the *Monastery* of *St. Albans*, and divers other Religious Houses, yet he was now represented to the Pope as One that had

took

took the *Cross* and highly merited of the Church, and was then much Injured and Oppressed by his Enemies in *England*.

Anno Dom.
MCCXXV.

Walter of Coventry has given us a large Complaint that he then presented an Address to the Pope, which, though it be very long and particular, in relating the State of Affairs in those times, yet being nowhere else to be found, and because it gives us a great deal of Light into this Transaction, I shall here give you the Substance of it, A large Account of Faukes's Appeal to the Pope.

[1] which was chiefly to shew, 'That there had been a Conspiracy framed by the Archbishop of *Canterbury*, and *Hubert* the Justiciary, to dispossess the Faithful Nobility of *England*, (as he calls them) of the Custody of those Castles which had been committed to their Trust by *Guallo* the Pope's Legate; but whilst the King was yet under Age, they had wrested some of those Castles from the Barons by false Accusations, and had also by their subtle Contrivances procured his Holiness's Letters to the Barons, commanding the surrender of the rest into their Hands, and that in compliance with these Letters, though the Earl of *Chester*, and several other Barons had delivered up their Castles to the King, yet *Hubert de Burgh* and his Creatures, still kept theirs; and that when the Earl and those of his Party had sent Messengers to *Rome*, to complain of the Injustice of these Proceedings, they had been ever since banished the Kingdom, as if they had been guilty of Treason; That as for himself he had also been by the Procurement of the Justiciary accused of Treason, however not for any late Offence, but for things done Eight years ago.

[1]
Id. ib.

'That an Army having been lately raised at *Northampton*, on a false Pretence of an Expedition into *Poitou*, a certain Knight, called *Henry de Braibrock*, had been sent with others to sit as a Justice Itinerant near *Bedford*, where exercising his Office Unjustly, he had deprived *William de Brent* the Complainant's Brother of divers Lands and Possessions, for no other Cause than his own private Malice; but that his Brother being provoked with these unjust Proceedings had indeed seiz'd the said Justice, yet without the Privity of *Faukes*, who was then at *Northampton*, with the other Barons of the Realm; that when he heard of it, he immediately went to the Castle of *Bedford* to release him, but when he came thither, he neither found the said Knight, nor his Brother there; having (as *Faukes* relates, though falsely) carried him away Prisoner into the Forest of *Vawberge*; and that albeit he had done what he could to make his Brother come in, and set the Justice free, yet he could not oblige him to do it; that during these delays there were two Knights sent to summon *Faukes* to appear at the Castle of *Northampton* the next day; but he fearing his Enemy's violence had sent to the King, to be excused from appearing, till he could find out and produce his said Brother.

[2] 'That the Causes of his then absenting himself, being laid before the King, he seemed well enough satisfied, yet whilst the rest of the Barons were gone home, to their several Habitations, his Enemies had privately resolved, that the Army should march and besiege his Castle, which was done the next day, without giving him any timely notice of it; whereupon fearing the violent Persecution of his Enemies, he was forced to fly into *Ceshire*.

[2]
Id. ib.

Anno Dom.
MCCXXV.

‘ That it was true, the Archbishop and some of the Bishops had demanded the Delivery of the Castle, but that those within refused it, since there was no Law to require it at their hands, and that their Lord *Faukes* having undertaken the *Crusado*, he himself, as also his Castles and Estate, were under his *Holiness*’s Protection, and therefore they appealed against all things; that might be done or attempted against them, till a Legate should be sent over from the Pope, before whom the true State of the Kingdom, and Merits of the Cause, might be fairly laid open.

[3]

Id. ib.

[3] ‘ However, Notwithstanding all this, the Archbishop out of a partial Affection to the King, and his own Adherents, calling together some of the Bishops, immediately issued out a Sentence of *Excommunication* against *Faukes* himself, and all his Favourers and Abettors, which he caused to be Published, and with it a full Indulgence of Pardon of Sins to all those who should assist at the taking of the said Castle.

‘ That whilst *Faukes* was thus in expectation of the Pope’s Protection, he sent a certain Chanon of *Selby-Abbey* to the King, with Letters, wherein he offer’d to stand to the Judgment of the Barons of the Kingdom, according to the Laws thereof, but that the Chanon hearing he was *Excommunicated*, never durst deliver his Letter; That he had also made a like Offers by the Bishop of *Coventry* and *Litchfield*, of standing to the Judgment of the King himself, provided that Three Persons, whom *Faukes* looked upon as his utter Enemies might not be there present; but when the Bishop delivered this Message to the King, and the Archbishop, it was received with scorn; so that *Faukes*, notwithstanding his Appeal to the Pope, was at last over-persuaded by the Archbishop and Earl of *Chester*, to surrender himself to the King at *Northampton*, in hopes of Mercy and Absolution, which nevertheless he could not obtain; though he had now wrote to his Men in *Bedford*-Castle to deliver up that, together with themselves, to the King’s Mercy; but the Archbishop had so provoked his Youthful Indignation against him, and those that held the Castle, by his passionate and severe Expressions, (which are there set down) that when the Barons expected to be called to give Judgment in this Case, the Knights, Esquires and Soldiers, that had been taken Prisoners in the Castle, were suddenly brought out, and (in reproach to Knighthood) immediately hanged; which cruelty so incensed even the Common Soldiers of the King’s Party, that running out of their Tents, they presently took some of them from off the Gallows, and so saved their Lives.

[4]

Id. ib.

[4] ‘ That after this, *Faukes* had been prevail’d with to submit to the Archbishop’s Judgment, who yet would not absolve him (notwithstanding his frequent Appeals to the Pope) till he had stood Naked all Sermon-time, whilst the Archbishop preach’d an Invective Discourse pointing at him, and calling on him by Name; still after all this, there was a new Accusation framed against him, as having been the Cause of the Loss of *Poitou*, and that therefore he ought to forfeit all his Estate in *England*; which Charge he there endeavours to answer at large, shewing that *Poitou* could not be lost by his means, since the Army raised at *Northampton* was never intended for its recovery.

[5] ‘ So

[5] ' So that notwithstanding his late *Absolution*, his Enemies were not satisfied, till they had committed him to Prison, from whence he would not have been freed, but for his *Holiness's* Letters to the Archbishop of *Canterbury*, and the Governors of the Realm; yet further, besides all this, he could not get himself discharged, though he had lain a long while in Prison, till he had sworn to wave his Appeal to the Pope, and immediately go on Pilgrimage to the *Holy-Land*: Then he concludes with an humble Request to the Pope and his Cardinals, to consider his Appeal, and not to suffer him in contempt thereof to be unjustly deprived of his Wife, Children, and Estate; but that he may find a Refuge with the *Roman See* against his Enemies, and particularly the Archbishop of *Canterbury*, against whose Unjust and Severe Proceedings he desired his *Holiness's* speedy Relief.

Anno Dom.
MCCXXV.

[5]

Id. 18.

This is the Sum of his Plea, which how far it was True, and wherein it was False, is hard to determine at this distance of Time; yet this is certain, that *Faukes* did not desist from his Appeal, till he had obtained the Pope's Brief directed to the King in his favour, desiring his entire Restitution to his Honour and Estate, in regard of his former Merits and great Services both to the King's Father and Himself; as also out of Reverence to the Character of the *Cross*, which he had then taken upon him: But what success this long Address had, you will find by and by.

[1] I have nothing else to remark as to *English* Affairs, only that in pursuance of the late Charter of Forests (above-mentioned) the King having sent *Hugh de Nevil* and *Brian de Lisle*, with some others, to cause Twelve Knights, or Free and Legal Men, to be chosen in every County where there were Forests to walk the Bounds of them, and, by their Oaths to set out, which were the Antient Forests, and which the New ones to be dis-forested. The King's Commands were in a short time executed, but not without some Opposition, every one using the Liberties that were granted them; They sold their own Woods, Hunted in them, and Stubbed-up, and Ploughed such of them as were disforested, at pleasure; for the Great Men, Knights, and Free-Tenants, made such good use of the Common Liberties, that not one Tittle commanded in the Charter was submitted to.

[1]

M. P. p. 314.

The King's Commission for the severing the New Forests from the Old, being Executed, the former are disforested.

[2] As for Ecclesiastical Affairs, this Year the Pope sent *Otto* his Legate into *England*, with Letters to King *Henry*, concerning great and weighty Affairs of the Church, which when he had read and understood the Tenor of, he answered the Legate, That he neither could, nor ought to determine any thing that generally concern'd the Clergy and Laity of the whole Kingdom, but by the Advice of the Archbishop; and thereupon he appointed on the Octaves of *Epiphany*, to meet his Clergy and People at *Westminster*, to treat about the aforesaid Business.

[2]

Id. p. 315.
The Pope sends his Legate *Otto* into *England*, about great Affairs, which the King refuses to determine without the Advice of his Great Council.

[3] Then the Pope's Legate at his arrival in *England*, moved the King in the behalf of *Faukes de Brent*, on the Consideration already mention'd; but to that the King replied, That his Sentence was passed, and he was condemn'd to perpetual Banishment by the whole *Clergy and Laity of the Kingdom, by the Judgment of his Court; and since the Care of the Kingdom did more especially be-

[3]

Id. 16.
The Legate intercedes for *Faukes de Brent* but in vain.
Clero & Populo.

long

Anno Dom.
MCCXXXV.

The Legate
takes two
Marks of Sil-
ver from all
Cathedral
and Conven-
tual Churches
for Procura-
tions.

long to him, he ought therefore to observe the Good Laws and Customs of the same. When the Legate heard this, he forbore pressing the King any further on *Faukes's* behalf; but did not forget to take, of all Cathedral and Conventual Churches, Two Marks of Silver for Procurations, the greatest Part of his Errand being to get Money; for (as our Author well observes) when this *Otto* came into *England*, the Pope had sent his Nuncios all over *Europe*, to Extort such undue Exactions; of which also he gives us divers other Instances, as you will see anon.

[4]

Id. p. 324.

The former
Decrees re-
new'd against
the Wives
and Concu-
bines of Priests
and Clerks.

**Osculum Pacis*,
The Kiss of
Peace.

† *Panem Bene-
dictum*: Bread
Blessed, but
not Consecra-
ted in the
Mass.

[4] As for the rest of the Ecclesiastical Affairs of this Year, there came forth a Decree from the Archbishop of *Canterbury*, and his Suffragan Bishops, That the Concubines of Beneficed Priests and Clerks within Orders, should be denied *Christian* Burial, unless they repented whilst in Health, or gave such Testimonies of their Penitence at the Hour of Death, as to deserve *Absolution*; and likewise so long as the Priests kept them in their Houses, or publicly out of their Houses, they should be denied the *Kiss of Peace, and †Blessed Bread in the Church; and also, That after Childbirth, these Women should not be Church'd, till they had given sufficient Security to the Archdeacon or his Official, to make satisfaction in the next Court after their Churching; also all Priests, in whose Parishes any such Concubines dwelt, if they did not give notice to the Archdeacon or his Official, were to be suspended, and not be Absolved without severe Penance; and if it could be proved that a Priest had carnally known his Concubine, he should do publick Penance himself: And if she were convicted of *Adultery*, she was to be doubly punished, lest impunity in so great a Guilt should give Encouragement to others to offend in like manner.

But before we end this Year, we shall look a little into Foreign Parts. [5] About this time (as our own, as well as the **French* Historians relate) there appeared a Man in *Flanders*, who took upon him to be *Baldwin*, formerly Earl of that Country, and who had been many years since chosen Emperour of *Constantinople*, (as you have already heard) and being afterwards taken Prisoner by the *Bulgars*, was supposed there to have died; yet this Person now pretended to have escaped from thence, and gave such strange Proofs to make himself be acknowledged for Earl, that the *Flemings*, (who loved the Memory of that Great Man,) gave at last so much Credit to him, as to put him into possession of the greatest Part of the Country; but the Countess *Joane*, Daughter and Heir of *Baldwin*, not being satisfied that this Man was her Father, and being like to be frustrated of her Inheritance, complain'd to the King of *France*, as her Supreme Lord, who thereupon summon'd this Pretended Prince to appear before him, and accordingly he came very boldly; but either Disdaining, or not being able to Answer the Questions that were put to him by the King, he was so dissatisfied therewith, that he commanded him within Three days to be gone out of his Dominions; but he being afterwards taken in Disguise, and brought to the Countess, she first made him endure Cruel Tortures, and then order'd him to be Hang'd for an Impostor, and he was Executed accordingly; which made divers People still believe that the Daughter found it easier to hang her Father, than restore him his Dominions.

[1] King

[1] King Henry kept his *Christmast* at *Winchester*, some Bishops and many of the Great Men being there present with him: So soon as the Solemnity was ended, he went to *Marlebridge* (now *Marleborough*) where he was taken desperately ill, and continued so for some Days. In the mean while, the Feast of St. *Hilary* being now come, a Counsel of the Clergy and Great Men of the Kingdom met at *Westminster*, where (as the * *Manuscript Annals of St. Augustin of Canterbury* relate) the Bishops, Earls, and Barons being present, the King was declared of full Age, tho' he was then but Nineteen Years old.

[2] But the main Business of this Assembly was to return an Answer to the late Letters from the Pope; and the Legate declaring the Contents of them, it appeared that the Pope complained, 'it was an Old Scandal and Reproach cast upon the Roman See, That nothing could be transacted there, without great Sums of Money and many Presents; and seeing that which occasioned this Infamy was its great Poverty, it became Dutiful Children to supply their Mother's Wants; which might easily be done, if out of every Cathedral Church Two Prebendaries were set a-part for that purpose, one by the Bishop, the other by the Chapter; and also out of every Monastery, where there is an Abbot and Convent, one Monk's Portion from the Convent, and as much from the Abbot; and then the Legate endeavoured to persuade the Prelates to consent to what the Pope desired.

[3] When the Bishops and other Prelates had heard this strange Proposal, after some Deliberation, they returned their Answer by John Archdeacon of *Bedford* their Proctor, who in presence of the Legate warily replied, 'That what was proposed concerned the King in particular, and in general all Patrons of Churches in England, and besides the Archbishops, Bishops, and all the other Prelates; and seeing the King, upon the account of his Infirmary, as also some Bishops and others were absent, they neither could nor ought now to give a direct Answer, which might tend so much to their Prejudice. Then came John the *Marischal*, and other Messengers from the King, to those Prelates that held Baronies of him in *Capite*, strictly charging them not to oblige their Lay-Fees to the Church of *Rome*, lest he should thereby lose his accustomed Service: Upon this, the Legate desired that another Day might be appointed in *Mid-Lent*, and he would take care that the King, and divers Prelates who now are absent, should be there; but they would not admit of this without the King's Consent; and so they all returned to their own Homes, without doing any farther in the Matter.

[4] About this time also one *Romanus* was sent Legate by the Pope into *France* upon the like Errand, who, upon his calling an Assembly of the Clergy at *Beauvais*, and finding the Pope's Demands would be opposed by them, craftily dismissed the Procurators of the ventual Churches, imagining that they would find a ready Acceptance among the Archbishops, Bishops, Abbots, and Great Men; but he met with as little Success with them, for after a long Debate about those unreasonable Demands, and that the Procura-

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[1]

ib. p. 328.
The K. is taken with a violent Distemper at *Marleborough*, and after in a Council at *Westminster* declared of full Age.

In Lib. Col. St. Benedi.

Cambr.

[2]

M. P. ib.

The Pope's Letters are also there considered.

[3]

To which the Bishops and Clergy return a prudent Answer.

* Now, this

Word then comprehended Abbots, Priors, and Deans of Cathedrals.

The K. commands the Prelates not to oblige their Lay-Fees to the See of *Rome*.

[4]

A Legate sent into *France* on the same Errand.

tor

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tor of the Archbishop of *Lyons* had answered all the Legate's Arguments, he was at last content to depart without doing the Business he came for. I have inserted this, tho' it concerns not the Ecclesiastick Affairs of this, but of a *Foreign Nation*, to let you see, that *England* was not the only Country in which the Pope at that time endeavoured to advance his unreasonable Demands, which indeed were so exorbitant, that no Kingdom in *Europe* could admit them.

[5]
12. p. 330.
The Legate is recalled:

Yet the Pope again presses the King and Prelates for their final Answer;

Who decline giving a flat denial to his Request.

[5] Some time after this, *Otto* the Legate went into the *North* to collect the Pope's Procurations, that were in Arrear in those Parts, but (by the Procurement of the Archbishop of *Canterbury*, who seemed much concerned at these Exactions upon the Clergy) he was recalled: And then an Injunction was by the Pope laid upon the Archbishop, That the King with all the Prelates of *England*, being again assembled, should give their final Answer to the Business *Otto* had been lately sent about, and to transmit it to him. Thereupon the King, after consultation with the Prelates and some of the Great Men, returned this Answer, 'That since what his Holiness required concerned the Church Universal, the King was ready to follow the Example of other Kingdoms, and therefore would first see what they did; And with this Answer the Assembly was dismissed.

[1]
12. p. 329.
The Pope's Legate engages the King of France in an Expedition against the Count of Tholouse, as guilty of Heresie.

[2]
12. p. 331.
The King being forbid by the Pope to make War upon the King of France, consults his Great Council thereupon.

[3]
12. p. 332.
The King receives Letters from his Brother, that all things succeeded well enough in Gascony.

I shall now take a view of what was done in *France*, in relation to the like Demand made by the Pope's Legate there, as had been lately done in *England*; [1] For *Otto* the Pope's Legate saw he could not succeed in his late unreasonable Proposal, and resolving to make the King of *France* his Master's Instrument for the execution of his Designs, he engaged him in a *Crusado* against the Count of *Tholouse* and his Subjects, as being all infected with the pretended Heresie of the *Albigenses*; This the King of *France* imprudently undertook, having first obtained Letters of Inhibition from the Pope to King *Henry*, therein forbidding him under pain of *Excommunication* to invade any of the *French King's* Territories, whilst he was employed in the Service of the Church; and so King *Lewis* raising a great Army, marched against the Earl of *Tholouse*; and the City of *Avignon* lying in his way thither, he laid down before it, and besieged that Place, because it refused to give free Admittance to his Army; and what Success he had there, you will see by and by.

[2] In the mean time, the King of *England*, who desired to make a Warlike Expedition in Foreign Parts, calling together his Great Council, caused the Pope's Inhibitory Letters to be read to them, requiring their Advice what was to be done about them; Upon which, all the Prelates and Great Men thought it best to defer that Affair, till it appeared what Success the *French King* would meet with in so difficult an Enterprize.

[3] King *Henry* was now very solicitous about his Brother Earl *Richard*, and his Affairs in *Gascony*, and much desired to pass over thither with Forces; and while he was under this Concern, an Express came from his Brother, that he was well, and all things succeeded prosperously enough there; which if so, the *French Historians* are much mistaken, in affirming, that he returned unsuccessful

cessful into *England* somewhat before this time, as hath been already observed.

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Before we end this Year, I cannot omit what the Annals of *St. Augustin* further relate, That the King being now declared of full Age, he laid many heavy Exactions upon the Kingdom; for he then commanded it to be proclaimed through all the several Counties of *England*, That all Persons who claimed any Liberties or Possessions by Grant from Him, or His Predecessors, should apply themselves to Him before *Lent*, to have them confirmed under his Seal, otherwise they should not be heard; Whereupon divers Bishops, Earls, Barons, and Abbots, who claimed such Liberties and Possessions, applied themselves to the King to have them renewed, who by this means gained a vast Sum of Money.

The K. being declared of Age, imposes many heavy Exactions upon his Subjects.

[4] I cannot here omit to mention the decease of some Great and Remarkable Persons, both Secular and Ecclesiastical; of the First sort was *William Longespee*, Earl of *Salisbury*, the King's Uncle, who having suffered extremely in a long and dangerous Passage out of *Gascoigny* into *England* the last Winter, was somewhat recovered; but being invited to a great Entertainment by *Hubert de Burgh* the Justiciary to make his Peace with him, for recommending one *Raymond* his Nephew as a Suitor to the Earl's Lady, upon the News of his being Shipwreck'd, he was there supposed to be poisoned by *Hubert's* Contrivance; for he presently fell into a languishing Distemper, and returning to the Castle of *Salisbury*, died very penitent a few Days after, and was buried in the then new-built Cathedral Church of *Salisbury*, where his Monument is to be seen at this day. He was a virtuous and Gallant Man, and the only surviving Issue of King *Henry the Second*.

[4]
M.P. p. 329.

William Longespee Earl of *Salisbury* dies, being suspected to be poisoned, and on what occasion.

[5] The Ecclesiastical Great Person who deceased this Year, was *Richard de Marisco*, or *de Maris*, Bishop of *Durham*, who died suddenly at *Peterborough* in his Journey to *London*, in order to prosecute a most unjust Suit with the Monks of his Church: he had been one of King *John's* Courtiers and Chief Councillors in all his Tyrannical Actions, and was in the beginning of this King's Reign elected Bishop of *Durham*. To these may be added *Faukes de Brent*, who deceased in *France* by eating of a poisoned Fish; he was just before his Death about to return into *England*, his Peace with the King being obtained by the means of those great Presents he had made in the *Roman* Court; of whom, (having made so great a Figure in our History,) I shall say somewhat farther. He was by Birth a *Norman*, but Base-born, and a meer Soldier of Fortune, yet by his Valour raised himself to the Degree of a Baron, and was by King *John* married to *Margaret de Redvers* a great Heiress, tho' against her Will; and with her he had the Castle of *Bedford*, and several other large Possessions; but this unexpected Fortune made him Insolent, and Rebellious, which procured his Ruine, as you have already heard.

[5]
Id. p. 332.
The death of *Richard de Maris* Bishop of *Durham*;

As also of *Faukes de Brent*, with his Character.

I shall conclude this Year with a farther Account of the Affairs of *France*; [1] King *Lewis* had now besieged the City of *Avignon* many Days without any great Success; for the Citizens made such an obstinate Defence, that great Numbers of the *French* were destroyed

[1]
Id. p. 334.

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[1] *Scriptor. A.
non aita. ius.
King Lewis
quies his Ar-
my, and dies
at the Castle
of Montpencier.*

by their frequent Sallies, as also by the Plague, which then raged in the Camp; [2] * yet at last the Besieged were forced to Capitulate with the King, and so they admitted him into the City, where he presently ordered the Towers on their Houses to be pulled down, and made them give many Hostages for their Fidelity; but being forced to leave his Army and return home, by reason of an Indisposition taken in the Camp, he fell desperately ill at the Castle of *Montpencier* in *Auvergne*, being supposed to be poisoned by *Henry* Earl of *Champagne*, who was in Love with the Queen.

This King deceased in the Thirty ninth Year of his Age, and the Fourth of his Reign, leaving the Reputation of a Valiant Prince, though far short of his Father in Prudence, Fortune, and long Life; *Lewis* his Son (then a Minor) succeeded him, (being the Ninth of that Name) who was afterwards Canonized for a Saint.

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[3] *M. P. p. 336.
The King ex-
torts a great
Sum from the
City of Lon-
don very un-
justly.
As also 1200l.
from Northam-
pton.
And also
takes a great
Tax from the
Religious Or-
ders, notwith-
standing their
Appeal to the
Pope.*

[3] This Year King *Henry* kept his *Christmasts* at *Reading*, but soon after came to *London*, where (as *Matt. Westminster* observes) he began to Tyrannize, accusing the Citizens of *London* for lending Five thousand Marks to *Lewis* the King of *France*, upon his departure out of *England*; and therefore compelled them to pay the like Sum to himself: Nor was *London* the only Town which felt this his severe Usage; for he extorted from the Burgesses of *Northampton* the Sum of Twelve hundred Pounds, besides the Fifteenth of their Moveables, which all others paid; The Religious Orders and Beneficed Clerks were also forced to pay the same Tax, as well out of their Ecclesiastick as Lay Goods; nor did their Appeal to the Pope avail them any thing; for those whom the King's Authority could not reach, the Papal Power by Ecclesiastick Censure were forced to pay: And thus the King's exorbitant Actions were then supported by the Pope, who cared not how much the other oppressed his Subjects, provided he might have his Share in the Spoil.

[4] *Id. Ib.*

*The K. holds
a Council at
Oxford, and
there takes
the Manage-
ment of Af-
fairs into his
own hands.
And by the
Advice of
Hubert de
Burgh cancels
the Charters
of Liberties
and Forests.
The Religi-
ous Orders
are also for-
ced to renew
their Charters
of Privilege,
and pay great
Sums for
them.*

Then the King, to proceed in the same manner as he had already began, [4] in *February* following called a Council at *Oxford*, and declared to them he was then of full Age, and would take the Management of Publick Affairs into his own Hands; and to shew he was in good earnest, He, by the Advice of *Hubert de Burgh* his Justitiary, removed from his Court *Peter* Bishop of *Winchester*, his Protector in his Minority: In the same Council, and by the same Man's Advice, he also cancelled and made void all the Charters of *Liberties* and *Forests*, which for two Years before had been observed throughout the whole Kingdom, saying, That what had been then done, was in his Minority, when he had no Power of his own Person or Seal, and upon that account was all invalid.

These unjust and illegal Proceedings occasioned great Murmurings, every one accusing the Justitiary, and looking upon him as the Author of this Disturbance, because they saw the King was wholly guided by him: Soon after, the Religious Orders, and all others, had notice, That if they would enjoy their Priviledges, they must renew their Charters, or otherwise the Old ones should be of no Advantage to them; and what they were to pay for such

such Renewal, was left to the Discretion of the Justiciary: Thus as the King changed his Chief Minister of State, so the Nation paid dearly for it; which perhaps sometimes since too has been little the better for the Change.

[5] About *Easter* the Archbishop of *York*, the Bishop of *Carlisle*, and *Philip d'Albiny* returned from *France*; for they had been sent to the Great Men of those Countries, which of ancient Right belonged to the King of *England*; and their Business was to invite them by fair and large Promises to receive King *Henry*, and acknowledge Him for their Natural Lord: But the Young King of *France*, by his Mother's means, had made Peace with those Barons, and received their Homages before King *Henry's* Messengers could arrive; whereupon they returned without effecting any thing.

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[5]
Id. ib.
The A. Bp.
of York, &c.
return from
France, with-
out doing any
thing in the
Business for
which they
were sent.

But to come to Matters of less moment; [1] In *February* *Hubert de Burgh* the Justiciary was created Earl of *Kent* by the Cincture of the Sword of that County, and the *May* after the King's Brother *Richard* returned into *England*, and was received by Him and the whole Court with great Joy.

[1]
Id. p. 337.
Hub. de Burgh
created Earl
of Kent.
Earl Richard
returns out of
France.

[2] Yet did not this good Correspondence between the King and his Brother last long, by reason of a great difference that happened upon this occasion; King *John* had given to one *Waleran* a German the Castellan of *Berkhamstead*, a Mannor that belonged to the Earldom of *Cornwal*; which when Earl *Richard* understood, he seized it, until *Waleran* should make out by what Right he claimed it; Upon this, so soon as *Waleran* had notice of it, he made his Complaint to the King, who immediately wrote to his Brother, That upon sight of his Letters, he should forthwith render back the Mannor to *Waleran*; But Earl *Richard* thought it not convenient to make such great haste, and therefore went to the King, and pleaded his Right to the Mannor, offering to stand to the Judgment of his Court, and of the Great Men of the Kingdom: The King and his Justiciary hearing him mention the * *Great Men*, were highly incensed at it, and commanded him either to yield up the Mannor, or for ever depart the Kingdom; To which Earl *Richard* replied, That he would neither part with the One, nor leave the Other, without the Judgment of his Peers, and forthwith made what haste he could to his own House: The Justiciary, when he heard this peremptory Answer, fearing he might disturb the Publick Peace, advised the King to secure him; but the Earl having Early notice of his Design, went immediately to *Reading*, and from thence to *Merleburgh*, where he met with his old Friend and sworn Confederate *William* the Earl-Mareschal, to whom he declared what had passed between the King and him: Then they went both together to the Earl of *Chester*, and gave him an account of the same; and from thence they marched to *Stamford*, where, in a short time, according (it seems) to appointment, met them with Horse and Arms *Ranulph* Earl of *Chester*, *Gilbert* Earl of *Gloucester*, *William* Earl of *Warren*, *Henry* Earl of *Hereford*, *William* Earl of *Ferrars*, *William* Earl of *Warwick*, with divers Barons, and a great Multitude of armed Men, who had all entred into a Confederacy to force the King to make Satisfaction for this Injury

[2]
Id. ib.
A great difference between
the King and
his Brother
Earl Richard,
and on what
occasion.

* Magnates.

The Earl being discontented, retires from Court.

He goes to the Earl Mareschal to give him an account of what had happened; whereupon he, the Earl of Chester, &c. take up Arms;

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On pretence
to oblige the
King to re-
store the
Charter he
had lately
cancell'd.

that was done to his Brother Earl *Richard*, which they wholly imputed to the Justiciary, as also to oblige him to restore those Charters which had been lately cancelled at *Oxford*; and if he refused, they declared they would compel him by their Arms to make them competent Satisfaction. Upon this, the King appointed them to meet him at *Northampton* the Third of *August*, where he settled his Mother's Jointure on his Brother *Richard* (all the Great Men moving him to it) as also all the Lands that once belonged to the Earl of *Bretaigne* in *England*, and which were the Earl of *Boloign's* lately deceased; so every one departed well pleased for that time. Thus we see sometimes how Fear will prevail more upon some Princes than all the Reason in the World beside.

Nothing happened considerable this Year in Ecclesiastical Matters, but the Death of Pope *Honorius* the Third, in whose stead was Elected *Hugolin* Bishop of *Ostia*, by the Name of *Gregory* the Ninth.

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[3]

Id. ib.

The K. orders
new Measures
to be made.

[4]

Id. p. 350.

Steph. Langton
A. Bp. of Can-
terbury dies.

[3] This Year the King kept his *Christmass* at *York*; but soon after he came directly to *London*; and in his Journey finding the Measures of Grain, Wine, and Ale to be false, he commanded some of them to be broken, and the rest to be burnt, and ordered others of a larger size to be made, and the Weight of Bread to be increased, and likewise the Offenders to be severely punished.

The Ecclesiastical Affairs of this Year were but few, only [4] *Stephen Langton* Archbishop of *Canterbury* deceased the Ninth of *July*; He was a Prelate well skill'd in the School-Divinity of that Age, and also very knowing in the Laws and Constitutions of his own Country; and as he did not come in by the King's Nomination or Consent, so having little or no Dependance on him, therefore it is no wonder if he the more stoutly maintained the Liberties granted by King *John*; and indeed it is chiefly owing to his Industry, Prudence, and Courage, that they were either granted at first, or ever confirmed in this King's Reign.

[5]

Id. ib.

Not long after his Decease, [5] the Convent of *Christ-Church* in *Canterbury* made choice of *Walter de Hemesham* (a Monk of their own) whom they presented to the King; but he refused to accept him, both because his Father was hanged upon Conviction of Theft, as also because in the time of the *Interdict* he had appeared against King *John*; Then all the Suffragan Bishops of the Province of *Canterbury* refused to accept him, because he had corrupted a Nun, and had had Children by her; and likewise because he ought not (as they said) to be chosen without their Consents: Upon this, both sides applied themselves to the Pope, One to get his Election confirmed, and the Other to hinder it: When the Pope saw both Parties so obstinate in the Prosecution of their Suit, he would determine nothing concerning it either ways, but put it off till the Day after *Asb-wednesday* following, that he might be the better informed; so that the Church of *Canterbury* continued vacant all the rest of this Year.

[1]

Id. ib.

[1] In *August* the Knights and Soldiers that kept Garrison in *Montgomery-Castle* on the Borders of *Wales*, by the Assistance of the Country-People, designed to make a Way through an adjacent Wood

Wood more passable and secure for Travellers ; but whilst they were at work in cutting down the Thickets, the *Welsh* on a sudden rushed in upon them, killed some, and forced the rest to retire into the Castle, and presently besieged it. But so soon as King *Henry* was informed of it, both He and the Justiciary (to whom the King had lately given the Castle) came speedily with a small Army and raised the Siege; and when he had received some additional Recruits he marched towards the aforesaid Wood, and having cleared the Way by great Labour and Burning, so far as a Religious House called *Criddy*, (the usual Receptacle of the *Welsh*) he commanded it to be set on Fire; but the Justiciary upon view of the Place, finding it to be of an impregnable Situation, advised him to build a Castle there: Yet during the time it was building the Workmen were almost continually interrupted, and several of them killed by the *Welsh*. Then the King, finding that so many of his own Army inwardly favoured *Llewellyn*, was forced to make a disadvantageous Peace, whereof the Chief Article was, That this Castle should be demolished, and *Llewellyn* should give the King for his Charges Three Thousand Marks; so he returned home with little Honour, having left *William de Brause*, a Noble Baron, behind him Prisoner.

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The *Welsh* besiege *Montgomery-Castle*.

K. Henry is fain to make Peace with *Llewellyn*.

As for Foreign Affairs, this Year affords little worth mentioning, [2] but that the Emperor *Fretherick* the Second now failing to undertake his Voyage to the *Holy-Land* by reason of either a real or pretended Sickness, Pope *Gregory* thereupon Excommunicated him for the Breach of his Vow, in not pursuing the *Crusado*; but the Emperor remonstrated against these Proceedings as Unjust, and took Shipping not long after for the *Holy-Land*, where as soon as he was arrived, he found a great Army ready to receive him.

[2]
Id. p. 345.
The Emperor failing to undertake a Voyage to the *Holy Land* is therefore Excommunicated by the Pope.

[3] This Year the King kept his Court at *Oxford*, the Great Men attending him: While he was there, the Archbishop of *Bordeaux* came to him from the Nobility of *Gascoigny*, *Aquitain*, and *Poitou*, as also Messengers from those of *Normandy*, to sollicite him to come in Person into those Countries, assuring him, That they would All be ready with Horse and Arms to assist him in recovering his ancient Inheritance. The King thereupon by the Advice of his Justiciary (whose Counsel he still followed in all things) answered them, That he could not comply with their Desires at present, but must stay for a more convenient Opportunity: Upon this, the Messengers return'd without any more ado; But the Reason why the King did not lay hold of this Offer, I do not find.

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[3]
Id. p. 353.
The A.B. of *Bordeaux* comes to invite the K. into *France*, with large Promises of Assistance, but receives a dilatory Answer.

But since the Affairs of the Church and State this Year, are so interwoven with each other, that they cannot well be parted, I shall here pursue my Author's Method, and give them you as they there lie together.

[4] *Alexander* Bishop of *Chester*, (or *Litchfield*) *Henry* Bishop of *Rocheſter*, and Master *John de Houghton* Archdeacon of *Bedford*, the King's Envoys at the Court of *Rome*, according to Appointment attended on *Ash-Wednesday*, for the Pope's Determination concerning the A.B. Elect of *Canterbury*; but finding both his Holiness and the Cardinals very difficult to be prevailed upon by bare Petitions, they

[4]
Id. p. 355.
The King's Envoys at *Rome* attend in vain the Pope's Resolution about the A.B. Elect of *Canterbury*.

promised

Anno Dom. MCCXXIX promised on the King's behalf a Tenth of all Moveables from *England and Ireland*, to be paid the Pope toward his carrying on the War against the Emperor, which was now declar'd, *John de Brenne* King of *Jerusalem* being appointed General.)

And are fain to promise the Tenth of all Moveables in *England*.

[5]
Id. lb.

The Election of the A.B. of *Canterbury* vacated.

Richard Chancellor of *Lincoln* is chosen in his stead.

[5] The Pope now standing in need of King *Henry*, was the more easily prevail'd upon to embrace the Offer, and forthwith caused the Election made by the Monks of *Canterbury* to be declared Void, tho' not so much for those Disabilities objected against him on the King's behalf, as for his Notorious Ignorance, he not being able so much as to give a tolerable Account of several Points of Faith, upon which he was then Examin'd by the Pope's Delegates, appointed for that purpose, as appears by the Sentence at large in *Matt. Paris*; whereupon *Richard le Grant* Chancellor of the Church of *Lincoln*, was promoted by the Pope to the Archbishoprick, without any Election; yet by the Consent of the King and Bishops, he being thus confirmed by the Pope, received his Bull declaring him Archbishop, and Commanded all the Bishops and Clergy of his Province to Obey him.

This was a New Encroachment, and the first Archbishop that ever the Pope took upon him to nominate, without a previous Election by the Convent, or Bishops.

[1]
Id. p. 361.
The Pope's Chaplain comes into *England* to Collect the Tenth, upon which the King calls a great Council to consult about it.

[2]
Tam Clericis quam Laicis, & eorum subditis.

[1] Not long after this, the Pope sent one *Stephen* his Chaplain into *England*, to Collect the Tenth that were lately promised towards the defraying the Charges of his War against the Emperor: But so soon as the King understood his Message, he caused the Archbishops, Bishops, Priors, Templars, Hospitallers, Earls, Barons, Rectors of Churches, and all those who held of him *in Capite*, to meet him at *Westminster*, to consult upon the above-mention'd Business and other Exigencies: And when they were all met [2] both the Clergy and Laiety, with their Tenants, or Vassals, *Stephen* opened and recited to them the Pope's Letters, urging both the Occasion, and the Necessity of it, which required, that what was promised by the King's Envoys, should be consented to and made good.

The K. being obliged by his Promise to the Pope, consents to the Nuncio's Demand; yet the Earls and Barons stoutly oppose it.

The Clergy being afraid of the Pope's Excommunication, agree to the Nuncio's Demands.

When he had ended his Speech, all expected the King would have opposed it; but he being tied up by the forementioned Promise, was afraid to refuse the Pope's Demands, and so seemed by his silence to give Consent; yet the Earls and Barons, with all the Laiety, were not so Mealy-mouth'd, but stoutly resolved they would not oblige their Baronies and Lay-tees to the Court of *Rome*; and therefore had compounded with the Legate for a certain Sum of Money, had they not been betray'd by *Stephen de Segrave*, who joined with him, and so order'd the Matter, that he obtain'd his Demands; for notwithstanding this Opposition, the Bishops, Abbots, Priors, and other Prelates of Churches, after Three or Four Days Deliberation, and no small Reluctancy, consented to it, lest (if they opposed) they should incur the Sentence of *Excommunication*: Then *Stephen* shewed them the Pope's Letter, whereby he was Commissionated to collect the aforesaid Tenth, which were to be paid out of all their Profits whatever, without any Deductions either for Debts or Expences; and he was thereby Impower'd to *Excommunicate* all those that refused, and likewise to *Interdict* their Churches; and because the

the Business required Speed, he gave notice to the Prelates, that they should forthwith pay down what was due for the Tenth, and afterwards levy it upon every one by way of Tax; which Exaction proved so grievous, that they were forced to Sell or Pawn their very Vestments, Chalices, and other Holy Vessels belonging to their Churches: Moreover, he exacted the Tenth of the Autumnal Fruits of the Earth, while they were yet growing; all which they were forced to procure and pay, to avoid the *Excommunication* and *Interdict*: And for the more speedy raising of the Money, he brought along with him certain wicked Usurers, who supplied the Indigent with Money, which they were compelled to borrow, although they were thereby irrecoverably ruined. Thus you may see to what a sad Condition the Clergy and Laity of this Kingdom were at this time reduced, under a Young and Easie King, who if he had but had the Courage peremptorily to have said No, the Legate had never durst to have taken these Tenth at all; for *Ranulph* Earl of *Chester*, was the only Noble Man that opposed this Exaction, and would not permit any Religious Man, or Clerk to pay the above-mentioned Tenth within his Earldom, notwithstanding they were paid every where besides in *England*, *Wales*, *Scotland*, and *Ireland*.

Anno Dom.
MCCXXIX.

The Tenth
are Exactd
with great Ri-
gour.

[3] The most considerable Affair that happen'd this Year, was the King's intended Expedition into *France*, but it came to nothing, and it was on this Occasion; On *Michaelmas-Day* the King caused the whole Nobility of *England* (*viz.*) the Earls, Barons, and Knights, to meet at *Portsmouth* with such a vast number of Horse and Foot, that none of his Predecessors ever assembled so great an Army together before, with a Resolution to pass over Sea to recover those Dominions his Father had lost: But when the Chief Commanders and Marshals of the Army came to victual the Ships, there were not enough to be found ready to carry over one Half of the Men; whereupon the King hearing of this, was extremely enraged, and laid the whole Blame upon *Hubert de Burgh* his Justiciary, and openly called him *Traytor*, reproaching him for having received Five Thousand Marks from the Queen of *France* to put a stop to this Design: Nay, he was raised to such a height of Passion, that he drew his Sword and would have kill'd the Justiciary, had not *Ranulph* Earl of *Chester*, and some others interposed and prevented it; by which you may observe, That this King, though counted a Man of small Spirit, yet could shew his Resentments when he was thoroughly provoked. But whether this Failure proceeded from the Carelessness or Infidelity of the Justiciary (then the King's Chief Minister) is uncertain, only it is evident, that it was the Loss of the whole Design.

[3]
Id. p. 363.
The K. pre-
pares for an
Expedition in-
to France, but
it comes to no-
thing, for want
of Ships to
Transport his
Army.

The K. lays
all the Blame
on *Hubert de
Burgh* his Ju-
sticiary.

[4] On the Ninth of *October* following **Peter* Earl of *Bretaigne* Landed in *England* to conduct the King over Sea, as he was bound by former Agreement and Oath; but he then advised him to lay aside all thoughts of it till the *Easter* following, because it was dangerous Sailing at that time of the Year, and a Winter Voyage might be much to his Loss. Upon this the King gave every one Liberty to go home again, and the Justiciary at Length was reconciled to him: Then the Earl did Homage to the King against all Men for *Bretaigne*,

[4]
Id. ib.
**Mat. Paris*
calls him *Henry*
but by mi-
stake.
The Earl of
Bretaigne
comes into
England, and
persuades the
King to put off
his Expedition
into *France* till
the Spring.

Anno Dom.
MCCXXIX.

Bretaigne, upon which the King restored to him all his Right in *England*, and having given him Five Thousand Marks for the Defence of his own Dominions, he took his Leave of him.

I shall conclude this Year with an Account of the Affairs of the [5] *Holy-Land*, where the Emperor being arrived, met with much better Success than he could have expected, notwithstanding his late *Excommunication* by the Pope; for the Sultan of *Babylon* being now extremely pressed by Civil Wars, was content to purchase the Emperour's Friendship, by giving up *Jerusalem*, with all the Land of *Palestine*, except some Castles on the Borders of *Arabia*, as the Emperour himself then signified in a Letter to King *Henry* under his own Seal, the Copy of which our Author has given us at large, to which I refer the Reader, who desires further Satisfaction therein.

[5] p. 364.
The Emperour's great Success in the *Holy Land*.

[1] Yet notwithstanding these great Successes, the Patriarch of *Jerusalem*, together with the Masters of the *Knights-Templars* and *Hospitallers*, did all they could to defame the Emperour, (tho' a Great and Worthy Prince) for holding a Correspondence with the Sultan of *Babylon*, to the great Prejudice of the *Christians*, and that he favoured him more than those Knights, who were of his own Religion; and indeed he had very good Reason so to do, if what our Author relates be true; viz. That when they knew the Emperour intended to go on Pilgrimage to the River *Jordan*, to see the Place where our *Saviour* was Baptized, some of them gave the Sultan notice of it, that so he might fall upon the Emperour by surprise, and take him Prisoner, or kill him; which *Treason* the Sultan so highly detested, that he sent him notice of it, together with the Letter it self: But the Truth of the Matter was, that the Emperour standing at this time *Excommunicated* by the Pope, who these Knights heard now made War upon him in *Europe*, it emboldened them to do all the Mischief they could: This Dissention proved at last the ruine of this unsuccessful Enterprize, as you will find hereafter.

[1] Id. ib.
The Patriarch and Knights Hospitallers of *Jerusalem* defame the Emperour, and endeavour to destroy him.

Anno Dom.
MCCXXX.

[2] This Year the King held his *Christmas* at *York*, where the King of *Scots* met him, being invited thither by the King; the Archbishop of that Place, and many Earls, Barons, and Knights, and a very great Multitude of their Followers being there present; and having celebrated this Feast with great Joy and Hospitality for Three Days, the King of *Scots* returned into his own Country, and the King of *England* to *London*.

[2] Id. ib.
The K. and Great Men meet at *York*.

[3] This Year the Archbishops, Bishops, Abbots, and Priors throughout *England*, gave the King a great Sum of Money for recovering his Rights, which were taken from his Father beyond Sea; and upon the same account the Citizens of *London* were put to a grievous Ransom, and the *Jews* forced to pay the Third part of their Substance.

[3] Id. p. 365.

[4] At *Easter* following, the King mustered a very numerous Army of all the Nobility of the Kingdom that owed him Military Service, at *Reading*, and marched from thence to *Portsmouth* the Thirtieth of *April*, and there took Shipping with the greatest part of his Forces, and landed at *St. Maloes* on the Third of *May*, where he

[4] Id. ib.
The K. musters his Army, and passes over into *France*.

was

was very kindly received by Peter Earl of Bretaine, who delivered up to him the strong Towns and Castles of that Country, and several of the Nobility did Homage and swore Fealty to him; but a Baron, called *Andrew de Viteri*, with some others, refused it, and fortified their Castles. So soon as the King of France heard of this, he raised an Army, and came to *Angiers*, and posted himself there to hinder King Henry's march into *Poitou*, who continued still at *Nants*, expecting the residue of his Army.

[5] About this time there happened a great Discord among the French Nobility, many of them (as was reported) being secretly Confederated with the King of England, and Earl of Bretaine, the Chief of whom were the Duke of Burgundy, the Earl of Boloigne, the Earl of Driencx, the Earl of Mascun, the Earl of St. Paul, the Earl of Bar, *Engeram de Curci*, and *Robert de Courteney*; all these declared War against the Earls of Champagne and Flanders; who having been forty Days at the Siege of *Angiers*, they obtained leave of King Lewis, and returned home; who seeing he could not keep them there any longer, presently followed, and endeavoured to make Peace between those Noblemen and the Earls of Champagne and Flanders, but could not; for they entred Champagne, and destroyed all before them with Fire and Sword: The Earl was soon defeated, and put to flight, and they pursued him to the Gates of Paris.

That which moved these Great Men so much against the Earl of Champagne, was, that they suspected him to have had a hand in poisoning the late King Lewis at *Avignon*, of which they had accused him before the young King, and challenged him to answer it by Duel; but through the Powerful Influence of the Queen-Mother, he would hear nothing against him: Hereupon they left the Court, and occasioned great Commotions in France, disdaining to have such a Mistress as was suspected to have prostituted her self to the unchast Embraces both of this Earl and the Pope's Legate.

[1] About the same time *Fulco Paganel*, and *William* his Brother, Noblemen of Normandy, came to King Henry in Bretaine, and swore Fealty and did Homage to him, and likewise about Sixty Knights, Stout and Powerful Men, who all perswaded him to enter Normandy with an Army, and he should not in the least doubt of Success: The King liked their Advice very well, but *Hubert de Burgh* the Justiciary would not suffer him to follow it, alledging, That the Attempt seemed to be every way dangerous: So these Noblemen went away miserably disappointed, for the King of France forthwith seized their Castles and Estates; but the reason why the Justiciary thought this Expedition more dangerous than any other, I do not find.

After this, by the Advice of *Hubert de Burgh*, the King marched with his Army through *Anjou* into *Poitou*, and from thence into *Gascoigny*, where having received their Homages, and secured the Country, he returned into *Poitou*, and received the like of several of his Vassals there; and in this Expedition the King took the strong Castle of *Mirebel*.

Anno Domini.
MCCXXX.

[5]
Id. ib.
A great Discord arises among the French Nobility, many of whom secretly confederated with K. Henry.

The French Nobility destroyed Champagne with Fire and Sword.

Id. ib.

[1]
Id. ib.
Several Noble men of Normandy invite the K. into that Province. But he is diverted by his Council, which proves their ruin.

Anno Dom.
MCCXXX.

[2]
Id. p. 367.
The French King meets all his Nobility in a Parliament.
* Colloquium.
Where he makes Peace among the Nobility, the Earl of Champagne being sent into the Holy Land.

[3]
Id. ib.
The K. with his Army lies idle in France, and spends his Money vainly.

* Servientes.
And then in Autumn is forced to return into England.

After his departure, the Earl of Chester and others make an Invasion into Anjou.

[4]
Id. p. 366.
The King of Connaught invades the King's Territories in Ireland.

But is defeated by Geoffrey de Maris and others.

[5]
Anno Dom.
MCCXXXI.

Id. p. 367.
The K. holds a great Council, and therein demands Scutage of the Tenants in Capite.

[2] In the Month of September, the King of France and the Queen-Regent his Mother met in a * Parliament, or General Assembly, with all the Nobility and Great Men of that Kingdom, who after the death of the King's Father, had made War one upon another, in which Assembly a Peace was concluded on the following Conditions: *First*, That the Earl of Champagne (the Principal Author of the late Disturbance) should undertake the *Crusado* to the Holy Land, and there with an Hundred Knights fight against the Enemies of the Christian Faith: *Secondly*, That the King of France and his Mother should swear upon the Holy Gospels, to restore to every one his Right, and that they would Judge all Men of that Nation according to the Right, Custom or Law due to every Man.

[3] In the mean time, King Henry with his Army lay idle at Nantes, doing nothing but wasting his Treasure: The Earls and Barons seeing Hubert de Burgh would not permit them to fight with their Enemies, Feasted each other according to the English manner, and drank as if it had been at Christmas; so that those Noblemen and Gentlemen who were poor having spent all their Money, sold or pawned their Horses and Arms. At length the King in October, having provided in some measure for the Defence of the Country, and left Five hundred Knights and a Thousand * Stipendiaries, or Footmen, under the Command of Ranulph Earl of Chester, William Mareschal, and William Earl of Albemarle, took shipping, and landed at Portsmouth on the Twenty sixth of that Month: After his departure, the Earl of Chester and Others, whom he had left Commanders in Chief, made an Incurfion with the whole Army into Anjou, and took Gontier-Castle, demolished it, and burnt the Town; and presently after invading Normandy in like manner, they burnt the Town, took the Castle of Pontarsu, and razed it; and then returned into Bretagne with great Spoils, and without any considerable Loss to themselves.

[4] I shall conclude this Year with an Account of the Affairs of Ireland, where during King Henry's absence, about July the King of Connaught, knowing that William the Mareschal and Maurice Fitz-Gerald, were gone over into France, so that Ireland was left without any great Force to defend it, raised a mighty Army, (or rather a great Number of People) and entred into the English Territories, spoiling and burning the Country; the News whereof being brought to Geoffrey de Maris (then Deputy-Justitiary) he calling to his Assistance Walter Lacy and Richard de Burgh, raised a considerable Force, with which he fought and beat the Irish, killed Twenty thousand of them, and took their King Prisoner.

[5] This Year the King at Christmas kept his Court at Lambeth, and on the Twenty sixth of January, he met his Prelates and other Great Men at Westminster, where he required a Scutage of Three Marks of every Knight's Fee of all that held Baronies of him, both Laicks and Prelates; but Richard Archbishop of Canterbury and some Bishops opposed it, alledging, That Ecclesiasticks were not to be Taxed by, or with Lay-men: however, all the rest, as well Laicks, as Clerks and Prelates, readily submitted to the King's Pleasure.

[1] Soon

[1] Soon after this, the Archbishop of *Canterbury* complained to the King, That Earl *Hubert* his Justiciary had possessed himself of the Castle and Town of *Tonbridge*, and all other Lands which belonged to *Gilbert* late Earl of *Gloucester* deceased, from which Homage was due to the Church of *Canterbury*: But the King replied, That the above-mentioned Earl held of him *in Capite*, and it was his Prerogative to dispose of the Wardships of Earls and Barons, and of their Heirs, to whom he pleased, till they should come to full Age. When the Archbishop found he could not obtain any other Answer, he Excommunicated all those that had entred upon the aforesaid Possessions, and also every one (except the King) that should converse with them; and then went to *Rome* to prosecute his Suit in that Court. The King likewise sent *Roger de Cantelupe*, with some others, to plead his Cause before the Pope.

Anno Dom. MCCXXI.
[1] Id. p. 368.
The A. B. of *Canterbury* complains to the K. against the Justiciary, and for what reason.
Whereupon the K. asserts his Prerogative to dispose of Wardships: The A. B. excommunicates all those that entred upon his Possessions, and then goes to *Rome* to defend his Cause.

[2] About Easter Earl *Richard*, the King's Brother, married *Isabel* Countess-Dowager of *Gloucester*, Sister to *William* the Mareschal, Earl of *Pembroke*, which *William* died immediately after that Solemnity.

[3] This Year in *May*, the *Welsh*, under their King *Llewellyn*, made many Incursions, and committed great Spoils upon the Borders of *Wales*, sparing neither Sacred Persons nor Places: When the Bishops and Prelates heard of it, they Excommunicated that Prince, and all his Adherents and Abettors; and the King having raised an Army at *Oxford*, marched speedily into the Marches of *Wales*, as far as *Hereford*, to suppress them: During his stay there, the Governour of *Montgomery-Castle*, being over-reached by the Treachery of a Monk of *Combermeere-Abbey*, (whom Prince *Llewellyn* had suborned for that purpose,) marched out with the Soldiers of that Garrison against the *Welsh* Prince; but he then lying strongly encamped in a Place not far off, encompassed with Bogs, the *Welsh* feigned a Retreat; and the *English* being by this Stratagem drawn into the Bog, were there set upon by the *Welsh*, almost all cut off, and the rest taken Prisoners: But when King *Henry* heard of it, he presently marched against the *Welsh*, and entering their Country, they fled before him: Then the King rebuilt *Maud-Castle*, which the *Welsh* had formerly demolished, and placed a strong Garison in it to hinder their further Incursions; and having finished it, in *October* he returned into *England*.

[2] Id. ib.
Earl *Richard*, the K.'s Brother, marries the Countess Dowager of *Gloucester*.
[3] Id. ib.
The *Welsh* make Incursions, and therefore are excommunicated by the *English* Bishops.
The K. marches with an Army to the Borders of *Wales*, where his Forces receive a Defeat.
The King rebuilds *Maud-Castle*, and returns home.

As to foreign Affairs this Year, in *June* the King of *France* with a great Army designed to invade *Bretaigne*, but was prevented by the Earls of *Bretaigne* and *Chester*, who had laid an Ambush to intercept his Carriages with the Victuals and Engines of War, which met with such good Success, that they took and destroyed them all. The *French* being thus surprized and discouraged, a Truce was agreed upon, and concluded for Three Years, between the Two Kings; On the King of *France*'s part, by the Archbishop of *Rhemes* and Earl of *Boloigne*; and on the King of *England*'s part by the Earls of *Bretaigne* and *Chester*, who soon after came into *England* with *Richard* the new Earl-Mareschal, and were kindly received by the King: Then that Earl offered to do Homage, and whatsoever else was required of him, as Heir to his Brother *William* the Mareschal deceased; To whom the King, by the Advice of his Justiciary,

[4] Id. p. 369.
The King of *France* designing to invade *Bretaigne* is prevented by the Earl of that Province and the Earl of *Chester*, who surprize all his Carriages; whereupon a Truce is made for three Years.

Anno Domini
MCCCKXXI.

Richard the
Earl-Mareschal offers to
do Homage
for his late
Brother's Es-
tate; but is
by the K. re-
fused, and
commanded
to depart the
Kingdom.

[5]

Id. ib.
Whereupon
the Earl pas-
ses into Ire-
land, and re-
solves to re-
cover his Estate
by force.

Which makes
the K. accept
his Homage,
and grant
him all his
Rights.

[1]

Id. p. 370.
The A. B. of
Canterbury ar-
rives at Rome,
and makes
great Com-
plaints to the
Pope against
the King.

But carries
his Cause a-
gainst the K.
envoys.

And dies in
his return
home.

[2]

Id. ib.

The K. would
have married
the K. of Scots
Sister, but is
dissuaded
from it by
his Nobility,
and for what
Reason.

gave this Answer, That he heard his Brother's Wife was with Child, and therefore would not determine any thing till that was certainly known, whether it were so or not; adding moreover, that he had confederated with his Enemies in France, and upon that account commanded him to depart the Kingdom within Fifteen Days, and never to return again upon pain of perpetual Imprisonment.

[5] When he had received this harsh Answer from the King, he passed over into Ireland, and there was kindly received; and having all his Brother's Castles delivered to him, had Homage and Fealty done him by his Tenants; also Pembroke-Castle, with the Honour belonging to it, was yielded to him. After this, he got together a great Number of Armed Men, resolving (if Necessity required) to recover his Inheritance by Force. The King upon this changed his Thoughts, and accepted his Homage and Fealty, and granted him all his Rights, taking only the accustomed Relief.

[1] As for Ecclesiastical Affairs, about this time Richard Archbishop of Canterbury arrived at Rome, and in the Pope's Presence made the following Complaints, (viz.) 'That the King was abso- lutely guided by Hubert the Justiciary; and that the Affairs of the Kingdom were wholly transacted by his private Advice, without consulting that of his Great Men; That the Justiciary had married his former Wife's near Kinswoman, and had invaded the Rights of the Church of Canterbury, and refused to restore them; That the Bishops his Suffragans had neglected their Pastoral Care, and had betaken themselves to Try Lay-Causes in the Exchequer, and gave Judgment in Matters of Bloud; That the Beneficed Clerks, and such as were in Holy Orders, had divers Churches with Cure of Souls; and, according to the Examples of the Bishops, intruded themselves into Secular Affairs. On the other side, the King's Envoy pleaded many things on their Master's and the Justiciary's behalf, but to very little purpose; for the Pope had Commanded, that the Archbishop should have his Business forthwith dispatched, according as he desired: However, in his return home he died at St. Gemma, three days Journey from Rome, and so the whole Transaction expired with him.

This Archbishop sate so small a time, that we can make no Character good or bad concerning him, more than that he was a vigorous Asserter of the Rights of his See, as appears by his travelling to Rome upon so slight an Errand as the retaining of a Castle, and some Estate that he claimed during the Nonage of the young Earl of Gloucester.

[2] In October the King offered to marry the King of Scots Sister, but the Earls and Barons, and especially the Mareschal, opposed it, alledging, that it was not for his Honour to marry the Younger, when his Justiciary had married the Elder Sister; so at length he was prevail'd upon by the Earl of Bretagne and the Mareschal to desist from that Design. After this, he gave the Earl of Bretagne Five thousand Marks of Silver, and so he returned into his own Country.

[3] The

[3] The Monks of *Canterbury* having chosen *Ralph Nevil* Bishop of *Chichester* and Chancellor of *England*, Archbishop, they presented him to the King on the Nineteenth of *September*, who confirmed their Choice, and forthwith invested him with the Temporalities, belonging to the Archbishoprick: Then the Monks desired their Elect to allow them Money for their Expences in their Journey to the Court of *Rome*, to procure his Election to be confirmed; but he replied, He thought it was *Simoniackal*, and upon that account would not consent to allow them one Farthing; However the Monks proceeded in their Journey, and Petitioned the Pope to confirm their Choice; but he being before informed of the Merits of the Person by *Simon Langton*, gave them this Answer, That the Person they had chose was an Illiterate Man and a Courtier, and if he were promoted to that Dignity, he would concur with the King and Kingdom to shake off that Subjection to the See of *Rome*, to which King *John* had long ago submitted it; whereupon the Pope voided the Election, and commanded the Monks to proceed to a new Choice of one who would be Faithful, and Devoted to the *Roman Church*.

Anno Dom.
MCCXXXI.

[3]

Id. ib.

The Monks of *Canterbury* chose *Ralph* Bishop of *Chichester* A. Bp. and present him to the K. who confirmed their Choice.

But the Pope voids the Election, because the Bishop was a Courtier, and illiterate.

[4] This Year King *Henry* kept his *Christmas* at *Winchester*, and upon the Seventh of *March* he met the Great Men, as well Prelates as Laicks at *Westminster*, to whom he declared, That his late Expedition beyond Sea, had involved him in Great Debts, wherefore he was now forced to require of every one a general Aid; to whom *Ralph* Earl of *Chester* replied in the Name of all the Great Men, 'That the Earls, Barons, and Knights, who held of him in *Capite*, had personally served him, and had been at great Expences to no purpose, whereby they were reduced to Poverty, and therefore of Right they owed the King no further Aid; and then having asked leave of him, all the Laicks departed: But the Prelates answered him dilatorily, 'That many Abbots who were Summoned, were not yet come up, and therefore desired it might be deferred for some time longer, and that a Day might be appointed for all of them to meet together, and consult what ought to be done in that Affair, which was agreed to by the King; and the *Quindene*, or Fifteenth day after *Easter* was appointed for their next meeting.

Anno Dom.
MCCXXXII.

[4]

Id. ib. p. 371.

The K. meets the Great Men both of the Clergy and Laity at *Westminster*, and there demands an Aid of them.

Which the Earls, Barons, &c. refuse to grant, and desire leave to go home.

But the Prelates give a dilatory Answer.

[5] This Year many Men of Good Quality, with others of less Note, taking Arms violently enter'd the Barns of the *Roman*, (or *Italian*) Clergy-Men that were Beneficed in *England*, and carried away, and distributed their Corn, and sometimes Money, among the Poor. There were about Fourscore, and sometimes more, that were the Authors of this presumptuous Attempt; but one *William Witham*, (whose true Name was *Robert Thing*, (alias *Twenge*) a Knight, was their chief Leader, to whom they paid a most ready Obedience. When these Disorders had reach'd the Pope's Ears, he sent very severe Letters to the King, blaming him for permitting such Rapine to be Executed on Clergy-men; and commanding him upon pain of *Excommunication* and *Interdict*, to make strict Enquiry after the Authors of this Violence, and to punish them according to the heinousness of their Offence; that so others might be terrified from committing the like: And by his Letters he Commissioned

[5]

Id. p. 375.

Corn and Money taken from the *Italian* Clergy-men, and given to the Poor by certain Persons unknown.

The Pope writes to the K. to make Enquiry into the Authors of this Violence.

Peter

Anno Domini
MCCCKXXI

Richard the
Earl-Mareschal offers to
do Homage
for his late
Brother's E-
state; but is
by the K. re-
fused, and
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to depart the
Kingdom.

[5]
Id. ib.

Whereupon
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ses into Ire-
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Which makes
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[1]
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The A. B. of
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plaints to the
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the King.

But carries
his Cause a-
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And dies in
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Id. ib.
The K. would
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Sister, but is
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gave this Answer, That he heard his Brother's Wife was with Child, and therefore would not determine any thing till that was certainly known, whether it were so or not; adding moreover, that he had confederated with his Enemies in *France*, and upon that account commanded him to depart the Kingdom within Fifteen Days, and never to return again upon pain of perpetual Imprisonment.

[5] When he had received this harsh Answer from the King, he passed over into *Ireland*, and there was kindly received; and having all his Brother's Castles delivered to him, had Homage and Fealty done him by his Tenants; also *Pembroke-Castle*, with the Honour belonging to it, was yielded to him. After this, he got together a great Number of Armed Men, resolving (if Necessity required) to recover his Inheritance by Force. The King upon this changed his Thoughts, and accepted his Homage and Fealty, and granted him all his Rights, taking only the accustomed Relief.

[1] As for Ecclesiastical Affairs, about this time *Richard* Archbishop of *Canterbury* arrived at *Rome*, and in the Pope's Presence made the following Complaints, (*viz.*) 'That the King was absolutely guided by *Hubert* the Justiciary; and that the Affairs of the Kingdom were wholly transacted by his private Advice, without consulting that of his Great Men; That the Justiciary had married his former Wife's near Kinswoman, and had invaded the Rights of the Church of *Canterbury*, and refused to restore them; That the Bishops his Suffragans had neglected their Pastoral Care, and had betaken themselves to Try Lay-Causes in the *Exchequer*, and gave Judgment in Matters of Bloud; That the Beneficed Clerks, and such as were in Holy Orders, had divers Churches with Cure of Souls; and, according to the Examples of the Bishops, intruded themselves into Secular Affairs. On the other side, the King's Envoy pleaded many things on their Master's and the Justiciary's behalf, but to very little purpose; for the Pope had Commanded, that the Archbishop should have his Business forthwith dispatched, according as he desired: However, in his return home he died at *St. Gemma*, three days Journey from *Rome*, and so the whole Transaction expired with him.

This Archbishop sate so small a time, that we can make no Character good or bad concerning him, more than that he was a vigorous Asserter of the Rights of his See, as appears by his travelling to *Rome* upon so slight an Errand as the retaining of a Castle, and some Estate that he claimed during the Nonage of the young Earl of *Gloucester*.

[2] In *October* the King offered to marry the King of *Scots* Sister, but the Earls and Barons, and especially the Mareschal, opposed it, alledging, that it was not for his Honour to marry the Younger, when his Justiciary had married the Elder Sister; so at length he was prevail'd upon by the Earl of *Bretaigne* and the Mareschal to desist from that Design. After this, he gave the Earl of *Bretaigne* Five thousand Marks of Silver, and so he returned into his own Country.

[3] The

[3] The Monks of *Canterbury* having chosen *Ralph Nevil* Bishop of *Chichester* and Chancellor of *England*, Archbishop, they presented him to the King on the Nineteenth of *September*, who confirmed their Choice, and forthwith invested him with the Temporalities, belonging to the Archbishoprick: Then the Monks desired their Elect to allow them Money for their Expences in their Journey to the Court of *Rome*, to procure his Election to be confirmed; but he replied, He thought it was *Simoniackal*, and upon that account would not consent to allow them one Farthing; However the Monks proceeded in their Journey, and Petitioned the Pope to confirm their Choice; but he being before informed of the Merits of the Person by *Simon Langton*, gave them this Answer, That the Person they had chose was an Illiterate Man and a Courtier, and if he were promoted to that Dignity, he would concur with the King and Kingdom to shake off that Subjection to the See of *Rome*, to which King *John* had long ago submitted it; whereupon the Pope voided the Election, and commanded the Monks to proceed to a new Choice of one who would be Faithful, and Devoted to the *Roman Church*.

Anno Dom.
MCCXXXI.

[3]

Id. ib.

The Monks of *Canterbury* chose *Ralph* Bishop of *Chichester* A. Bp. and present him to the K. who confirmed their Choice.

But the Pope voids the Election, because the Bishop was a Courtier, and illiterate.

[4] This Year King *Henry* kept his *Christmas* at *Winchester*, and upon the Seventh of *March* he met the Great Men, as well Prelates as Laicks at *Westminster*, to whom he declared, That his late Expedition beyond Sea, had involved him in Great Debts, wherefore he was now forced to require of every one a general Aid; to whom *Ralph* Earl of *Chester* replied in the Name of all the Great Men, 'That the Earls, Barons, and Knights, who held of him *in Capite*, had personally served him, and had been at great Expences to no purpose, whereby they were reduced to Poverty, and therefore of Right they owed the King no further Aid; and then having asked leave of him, all the Laicks departed: But the Prelates answered him dilatorily, 'That many Abbots who were Summoned, were not yet come up, and therefore desired it might be deferred for some time longer, and that a Day might be appointed for all of them to meet together, and consult what ought to be done in that Affair, which was agreed to by the King; and the *Quindene*, or Fifteenth day after *Easter* was appointed for their next meeting.

Anno Dom.
MCCXXXII.

[4]

Id. ib. p. 371. The K. meets the Great Men both of the Clergy and Laity at *Westminster*, and there demands an Aid of them.

Which the Earls, Barons, &c. refuse to grant, and desire leave to go home.

But the Prelates give a dilatory Answer.

[5] This Year many Men of Good Quality, with others of less Note, taking Arms violently enter'd the Barns of the *Roman*, (or *Italian*) Clergy-Men that were Beneficed in *England*, and carried away, and distributed their Corn, and sometimes Money, among the Poor. There were about Fourscore, and sometimes more, that were the Authors of this presumptuous Attempt; but one *William Witham*, (whose true Name was *Robert Thinge*, (alias *Twenge*) a Knight, was their chief Leader, to whom they paid a most ready Obedience. When these Disorders had reach'd the Pope's Ears, he sent very severe Letters to the King, blaming him for permitting such Rapine to be Executed on Clergy-men; and commanding him upon pain of *Excommunication* and *Interdict*, to make strict Enquiry after the Authors of this Violence, and to punish them according to the heinousness of their Offence; that so others might be terrified from committing the like: And by his Letters he Commissioned

Id. p. 375. Corn and Money taken from the *Roman* Clergy-men, and given to the Poor by certain Persons unknown.

The Pope writes to the K. to make Enquiry into the Authors of this Violence.

Peter

Anno Dom. MCCXXXII. Peter Bishop of Winchester, and the Abbot of St. Edmunds-Bury, to make an *Inquisition* in the South of England; and in the North, the Archbishop of York, the Bishop of Durham, and John a Roman and Chanon of York, to make strict search, and whomsoever they found Transgressors in this Kind, that they should forthwith *Excommunicate* them, and send them to Rome to be Absolved.

The Pope also appoints Commissioners to make Inquisition, and to *Excommunicate* the Guilty.

[1] *Id. ib.* Many considerable Persons are accused and imprisoned.

Robert Twenge comes to the King, and justifies what he had done.

[2] *Id. p. 376.* The Monks of Canterbury chuse John their Subprior, Archbishop.

But the Pope rejects him, and commands the Monks to chuse another.

[3] *Id. ib.* The Welsh make Inroads into England, whereupon the King's Councillors upbraid him for suffering it.

The K. in excuse pleads Poverty.

* Note, These were yearly Pensions to several Monasteries: *Vid. the Pipe Roll.*

[1] When the Inquisition was Executed, and Witnesses Examined upon Oath, a Great many considerable Persons were found either actually guilty of the above-mentioned Rapine, or at least consenting to it; in which number were some of the Bishops, and others of the King's Clerks, with some Archdeacons and Deans, besides many Knights and Laymen; so that divers High-Sheriffs, their Bailiffs, and other Ministers, were by the King's Command taken up, and Committed to Prison; several through Fear fled and could not be found; Nay, Hubert de Burgh the Justiciary, was himself accused as a Transgressor, for that he had granted the King's Letters, together with his own, that they should not be hinder'd in their violent Actings; amongst Others there came to the King the aforesaid Robert Twenge, and brought with him Five Esquires, who were his Coadjutors, and openly professed that they had plundered the Roman Clergy, to revenge an Injury which he had formerly received by the Pope's Sentence, whereby 'twas endeavoured by manifest Fraud to force from him the only Church he had in his Gift; adding withal, That he had rather for a Time be unjustly *Excommunicated*, than lose the Patronage of his Benefice without due Judgment: Then the King and Inquisitors advised him to go to Rome, and make out his Right before the Pope, and pray his Absolution; and the King thereupon gave him Testimonial Letters of his Right to the Pope, desiring him earnestly for his sake to give this Knight Audience.

[2] The Convent of Canterbury having lately chose John their Subprior, Archbishop, he arrived at Rome in *Whitsun-Week*, and delivering his Letters of *Election* to the Pope, he commanded some of his Cardinals to Examine him, who after Three Days Tryal, professed before the Pope, that they could find no cause of Rejecting him; yet however the Pope looked upon him to be too Old and Weak for so great a Trust, and persuaded him to renounce his *Election*, which he willingly did, and begg'd leave to go home again; Then the Pope granted Licence to the Monks of Canterbury, and Commanded them to chuse such an One to whom he might commit the Pastoral Care.

[3] This Year about *Whitsun-Week*, the Welsh under the Conduct of their Prince Llewellyn, made several Inroads into England, and began to Burn and Plunder as they used to do: But when Peter Bishop of Winchester and some other Councillors, told the King it was a great Reproach to his Crown to suffer such an Inconsiderable People as the Welsh were, thus to Rob and Spoil his Subjects; He answered, That his Treasurers told him, his Revenues would scarce afford him Meat and Cloaths, and to satisfy the accustomed * *Alms*, much less any thing for Warlike Expeditions; To which they replied, That he made himself Poor by giving away the Honours, Wardships, and vacant Dignities which ought to come into the

* *Exchequer*,

‘*Exchequer*, so that he had the Name, but not the Estate and Riches of a King; adding withal, That his Predecessors were splendid both in Glory and Wealth; and that this proceeded from the great Care they took of their Revenues. Whereupon the King took this Hint, and presently called his Sheriffs and Bailiffs to an Account, and whoever was convicted of Fraud, was removed from his Office, and forced to pay the Whole into the *Exchequer* with Usury: He also removed *Ranulph Breton* Treasurer of his Chamber, from his Office, and Fined him a Thousand Pounds in Silver; and by the Advice of *Peter Bishop of Winchester*, (whose Council the King now in all things followed,) *Peter de Rivaux* his Nephew, a *Poictouin*, was placed in his Room; by which means the King’s Coffers were for a while plentifully supply’d.

Anno Domini, MCCXXXII.

The K. calls his Officers to Account, and gets much Money from them.

[4] About this time also, by the Advice of the same Bishop, *Hubert de Burgh* was removed from the Office of Justiciary, although (as it was said) he had the King’s Patent for it during Life, and *Stephen de Segrave* placed in his Room, on the Twenty Ninth of July: Some few days after, the King, being very much incensed against *Hubert*, required him to give an Account of all such Moneys and other Revenues that had passed through his Hands, ever since he had been Justiciary.

[4]

Id. Ib.

Hubert de Burgh is removed from being Justiciary, and called to an Account for what he had received.

To this *Hubert* answered, That he had King John’s Charter, whereby he was discharged of all Accounts, who having so often experienced his Faithfulness, would not receive any Account from him: The Bishop of Winchester replied, ‘That that Charter was not valid, after King John’s Death, and did not at all bind the present King from exacting an Account from him: But to this was added, That he had been Guilty of several Treasonable Practices, and had given Treacherous Advice to the King, much to the Prejudice both of King and Kingdom: To all which the King required him to answer, and stand to the Judgment of the Court.

Hubert makes his Defence.

Hereupon *Hubert* seeing himself much pressed and streightned, required some time to give in his Answer, which was with great difficulty obtained, and the Fourteenth of September following was the Day appointed: In the mean time he took Sanctuary in the Priory of *Merton*, and being now deserted by all his Friends, (except the Archbishop of *Dublin*) his Enemies daily increased, and many other false and improbable Crimes, (too large here to be recited) were laid to his Charge; Namely, That he had procured *William* late Earl of *Salisbury*, *William Mareschal* late Earl of *Pembroke*, *Faux de Brent*, and *Richard* Archbishop of *Canterbury*, to be Poisoned; That he had gained the King’s Affection by Sorcery and Witchcraft; Others accused him of Injustice, Extortion, and Rapine; and the *Londoners* entered their Complaint against him for condemning their Fellow Citizen *Constantine* to be Hang’d without Legal Process: All which Crimes were so highly aggravated before the King, that he caused it to be proclaimed in *London*, That whoever had any Complaint against *Hubert*, should come to him, and he should have Justice done him.

And obtains time till September to put in his Answer.

Many other great Crimes are laid to his Charge.

[5] On

Anno Dom.
MCCCXXXII.

[5]
Id. p. 377, 378.
* Proceribus.

A Parliament
at Lambeth,
which grants
the K. a For-
tieth Part of
all Moveables

Hubert de Burgh
having taken
Sanctuary,
durst not
make his An-
swer.

The K. sends
the Mayor of
London to fetch
him out alive,
or dead.

The Earl of
Chester per-
suades the K.
to revoke his
Orders for fear
of a Sedition.

[1]
Id. ib.
Hubert has far-
ther time
granted till
the Octaves of
Epiphany to
make his An-
swer.

Notwithstan-
ding which
he is drawn
out of the San-
ctuary by
Force, and
committed to
the Tower.

[2]
Id. p. 379.
The Bishop of
London rebukes
the K. for it.

[3]
Id. ib.
Hubert is sent
back again to
the Sanctuary,
and is there
kept from all
Relief.

[5] On the Fourteenth of September, the King assembled the Bishops, and other Prelates of the Church, with the Nobles of the Kingdom at *Lambeth*, by whom the Fortieth Part of all the Moveables of Bishops, Abbots, Priors, Clerks, and Laicks, were granted to the King, for the Payment of the Debt he owed the Earl of *Bretaigne*: Then *Hubert* the late Justitiary, being called to answer the Articles exhibited against him, and fearing the King would put him to some shameful Death, had taken Sanctuary with the Chanons of *Merton*, and durst not appear in the King's Court, to plead to those Articles, until the King should be in a milder Temper; whereupon in a great Rage he sent to the Mayor of *London* to force him from thence, and bring him either Dead or Alive: The *Londoners*, glad of this Opportunity to revenge themselves upon *Hubert*, upon ringing the Common Bell, gathered together in great Numbers, (as it was reported about Twenty thousand of them) but some of the more discreet Citizens dreading the ill Consequences of such Tumults, went to the Bishop of *Winchester's* House in *Southwark*, and desired his Advice, who told them, That whatever came of it, they must execute the King's Precept; but *Ranulph* Earl of *Chester* suggested to the King, That if these Tumultuous Proceedings were countenanced, such a Sedition at any time might be raised, as could not easily be appeased; adding further, That it would be a great Reproach to him Abroad, and especially in *France*, when they heard he thus treated those that had been his Favourites; which so prevail'd upon him, that he presently dispatched away a Messenger, with Letters to revoke his former Precept: At this the Citizens were startled, being disappointed of their Revenge, yet paying Obedience to the King's Orders, they returned into the City.

[1] After this the Archbishop of *Dublin* prevailed with the King to grant *Hubert* time till the Octaves of *Epiphany* to prepare his Answer. In the mean time *Hubert* thinking himself secure by the King's Letters Patents, designed a Visit to his Wife, who was then at *St. Edmunds-Bury*; but when the King heard of it, he sent *Geoffrey Craucumbe* with Three hundred Armed Men to apprehend him, and bring him Prisoner to the Tower: Upon this, going down, and finding him in *Essex* in a small Chappel with the Cross in One hand, and the Hosts (taken from the Altar) in the Other, they wrung them both out of his Hands, and without respect to the Place, violently dragg'd him forth; and having fetter'd and chain'd his Feet under the Horse's Belly, they brought him in a most reproachful manner to *London*, and committed him to the Tower.

[2] But *Roger* Bishop of *London* hearing how *Hubert* had been treated, went in all haste to the King, and very severely rebuked him for this breach of the Church's Peace; and told him, That if he did not presently set him at Liberty, and send him back again to the Chappel from whence he had been taken, he would Excommunicate all that were concerned in this Violation of the Church's Privileges.

[3] The King hereat being terrified, acknowledged his Fault, and sent him back again to the Chappel from whence he had been taken; but at the same time sent to the Sheriffs of *Hertford* and *Essex* upon pain of being Hang'd, to go in their own Persons, with all the Men of both

both Counties, and encompass the Chappel, that *Hubert* might neither make his Escape, nor receive any Victuals from any one: Then *Luke* Archbishop of *Dublin*, his only Friend who then stood by him, supplicated the King with Tears to know his Pleasure concerning him. Upon this the King offered him his choice of Three things, either for ever to *Abjure* the Kingdom, or be condemned to *Perpetual Imprisonment*, or else to confess himself a *Traitor*: But *Hubert* would chuse none of them, being conscious to himself that he had done nothing to deserve so severe a Proceeding; yet to satisfy the King, he said he would be content to quit the Kingdom for some time, but would not abjure it for ever: Yet rather than be starved, he at last yielded himself to the Sheriffs above-mentioned, who brought him up to *London* fettered and chained, and delivered him Prisoner to the *Tower*.

Anno Domini
MCCXXXII.

He yields in
part to the
K's Offers
and renders
himself to the
Sheriffs.

About this time was collected the Fortieth Part of all Goods lately granted to the King in the Parliament at *Lambeth*: The Form of the Commission to the Sheriffs of the several Counties, and the manner how it was to be levied and collected, is expressed at large in the Commission to the Collector, and is to be found in * *Matt.* 2. c. 12. to which I refer the curious Reader.

The Tax of a
40th part of
all Goods
now collected.

Under the Feast of *St. Martin* following, [4] the King was informed, that *Hubert* had much Treasure lodged with the *Knights Templars*: whereupon he sent for the Master of the *New Temple* to know the truth of it, who acknowledged the Money, but could not tell the Sum, but however refused to deliver it, unless he was authorized by *Hubert* himself: Then the King sent his Treasurer, the Justices, or Barons of the *Exchequer*, to *Hubert*, who in the King's Name demanded of him all the Treasure he had lodged with the *Templars*: To which *Hubert* replied, He would readily submit himself and all that he had to the King's Pleasure, and presently directed the *Templars* to deliver all the Keys of his Treasure to the King: which when he received, he commanded an Inventory to be made, and delivered to him, and the Money to be paid into the *Exchequer*.

* It is also up-
on Record in
the Tower.
R. Col. 16. H. 3.
M. 2. D. 5.

[4]
Id. p. 381.

Earl *Hubert's*
Treasure sei-
zed in the
New Temple.

His Enemies hearing of this great Treasure, accused him to the King of Theft and Fraud, urging, that he deserved a shameful Death: To whom the King replied, That *Hubert* had faithfully served his Uncle King *Richard* and the King his Father, (as he had heard) and if he had done otherwise towards himself, he would never be put to Death; for he had rather appear too merciful than too cruel to one who had so often preserved both his predecessors and himself in great Dangers: And the King being softened into Compassion, regranted to him all the Lands which the King his Father had given him, as also those he had purchased: And soon after, Earl *Richard* the King's Brother, *William* Earl of *Warren*, *Richard* Earl-Marshal, and *William* Earl of *Hereford*, became Sureties for his Good behaviour; whereupon he was sent Prisoner to the Castle of the *Devises*, under the Custody of their Knights, and then he appointed *Lawrence*, a Clerk of *Alban*, Steward of the Lands granted him, who had been a faithful Friend, and great Comfort to him in all his Afflictions.

The K. refuses
to put him to
death.

He is commit-
ted to the
Castle of the
Devises.

Anno Dom.

MCCXXXII.

Rot. Pat. 17

H. 3. M. 9. Dor.

Printed in

Dr. Brady's

Append. n. 152.

The substance

of Hubert's

Composition,

as it appears

on Record.

* Fidelibus.

The Substance of this Composition or Judgment, is also to be found upon * Record in the *Tower*, though it doth not agree in all Points as to the exact Circumstance of Time, and the Crimes already laid to his Charge: For the Record only recites, ' That whereas the Pope having wrote to King *Henry* to correct the Injuries that *Hubert de Burgh* had done to the *Roman Church*, and the *Italian Clerks* here in *England*, that thereupon the King sent to Arrest his Body, and bring him to answer before him especially for that very matter; and that *Hubert* having notice of this, fled into a Chapel, from whence those that pursued him (though they had no Order to do it) took him, and carried him to *London*; That when the King heard of this, being desirous to maintain the Liberty of the Church, he commanded him to be carried back to the same Chapel; in which when he had continued several Days, he was asked whether he would remain in the Chapel, or go out, and stand Trial in the King's Court concerning that Offence, whatsoever else should there be objected against him by the King and divers others, who had exhibited their Complaints; and that at length he voluntarily chose to come out, and stand to the Law; yet begged the King's Mercy; And that the King's Officers there present had received him, carried him to *London*, and delivered him to the Constable of the *Tower*; That the King not satisfied with this, sent *Stephen de Seagrave*, then Justiciary, *John de Lacy* Earl of *Lincoln*, *Brian de Lisle*, and others, to know whether he was forced, or went out voluntarily? That his Answer was, He went out freely, and not for want of Victuals, or any other thing; and that he was ashamed he had staid there so long: That then the King commanded he should be out of the Custody of the Constable of the *Tower*, that he might come freely to his Court; and so he came to *Cornhill* in *London* upon the Eve of *St. Martin*, and appeared before *Richard* Earl of *Cornwal*, *William* Earl of *Warren*, *Richard* the Marshalchal Earl of *Pembroke*, *John* Earl of *Lincoln*, *Stephen* Segrave the Justiciary, *Ralph Fitz-Nicholas*, and others, the King's Tenants, or * *Fendataries* there assembled; where being accused, he would make no Defence, but submitted himself wholly to the King's Pleasure, concerning his Body, Lands, and Goods: That the King, at the Instance of the Great Men, and the Petition of *Hubert* with his Friends and Relations, and by the Consent of his Accusers, respited the Judgment, notwithstanding it was drawn up in open Court, and voluntarily granted him these following Terms, viz. That having delivered up to the King all his Lands, Tenements, and Liberties, which he held of him *in Capite*, and of King *John* his Father, and all Writings and Instruments that concerned them, he should retain and enjoy the Lands and Tenements which descended to him from his Ancestors, with all the Lands and Tenements he held of others, except the King; yet so as he should answer to all his other Accusers, according to the Custom of the Kingdom; and that all his Chattels (whatsoever they were) as well Gold, Silver, Money, or other Goods, should be the King's; and his Body to remain at the Castle of *Devizes*, in the Custody of *Richard* Earl of *Cornwal*, *William* Earl

of

of Warren, Richard the Mareschal Earl of Pembroke, and John Earl of Lincoln, until he took upon him the Habit of the Friars-Templars, or was delivered by the Common Council of the King, and of all the foresaid Barons his Keepers, and of all the Great Men of the Land: And if he should by any ways or means break, or endeavour to break Prison, or any ways transgress this Agreement, then the First Judgment was to take effect; and whereforever, or by whomsoever he should be found, he was to be used as an Out-law. This Judgment of the King's proved much more easie, because during Hubert's Confinement in the said Chapel, his great Enemy Ramulph Earl of Chester deceased at Wallingford-Castle, and dying without Issue, his Nephew John Son to Earl David, Brother to the King of Scots, succeeded in the Earldom of Chester.

Toward the latter end of this Year, in December, Prince Llewellyn granted and promised the King to stand to the Determination of Ralph Bishop of Chichester, and Chancellor Alexander Bishop of Litchfield and Coventry, Richard the Mareschal Earl of Pembroke, John de Lacy Earl of Lincoln, Constable of Chester, Stephen de Segrave Justiciary of England, and Ralph Fitz-Nicholas the King's Steward, together with Idenevent, Llewellyn's Steward, Werrenoc his Brother, Iman Vachan, and David the Clerk, concerning what Amends were to be made for all Excesses and Transgressions on both sides, and for the restitution of all Lands and Possessions, and what Money was to be paid for Damages sustained, as appears by Agreement, which is still upon Record in the Tower, and bears Date at Shrewsbury.

As for Ecclesiastical Affairs, nothing happened this Year considerable, but that the Pope ordained a General Visitation of all Religious Houses throughout the Western Church, as appears by his Letters or Bull in [5] Matt. Paris, to the Suffragan Bishops of the Province of Canterbury, who were thereby Authorized to visit such Houses of Monks, Nuns, Chanons Regular, that lay within their respective Diocesses, and were not exempt from their Jurisdiction; But for those that were exempt, and belonged particularly to the Pope's own Visitation, he appointed them Commissioners for that purpose, who carried themselves so rigorously and insolently in many Places, that they forced divers Abbots and Priors to appeal to the Pope, and after a great deal of Trouble and Money spent, all they could obtain, was, to have new Visitors assigned them.

[1] Also in Autumn this Year, Master John Blund, Clerk and Reader in Divinity in Oxford, was, by the Monks of Christ-Church at Canterbury, chosen Archbishop, and being accepted by the King, went to Rome to obtain the Pope's Confirmation.

[2] This Year King Henry at Christmas kept his Court at Worcester, where, by the Advice of Peter Bishop of Winchester, (as it was reported) he removed all his Natural-born Subjects from their Offices and Places at Court, and put Strangers (being Poitouins) into their rooms, and would trust none but the foresaid Bishop and Peter de Rivaulx his Kinsman; so that the Management of all Publick Affairs was now committed to them: Then many Poitouins and

Anno Dom.

MCCXXXIII

Dr. B.'s Ap.

pend. N. 153.

Pr. Llewellyn's

Agreement

with the King.

* Rot. Pat. 17

H. 3: M. 9. n.

32.

Note; In this

Record Llew-

ellyn's only

stiled Prince

of Aberfraw

(in the Isle of

Anglesey) as be-

ing the chief

place of his

abode.

[5]

Id. p. 384.

The Pope ord-

ers a General

Visitation of

all Monaste-

ries.

Anno Dom.

MCCXXXIII

[2]

Id. p. 384.

The K. turns

out the Eng-

lish, and puts

in Foreigners

in all Places

of Trust.

Anno Dom.
MCCXXXIII

Bretaignes being invited into *England*, there came over no less than Two thousand Knights and Esquires, who were all placed in several Castles in *Garison*, to whom the easie King committed the Wardships of the Young Nobility, which afterwards much degenerated through their ignoble Marriages with Foreigners: And when any *English-man* complained to the King of their Oppression, they found no Redress, through the powerful Influence of the Bishop of *Winchester*.

Which gives great discontent; and the Earl-Mareschal with others declare it to the K. but without any good effect.

The Bp. of *Winchester* replies to this Demand.

But when *Richard* Earl-Mareschal saw all sorts of Men thus alike oppressed, and the Laws of the Kingdom so manifestly broken, He, as a Lover of Justice, with some other Great Men, went boldly to the King, and told him publicly, That by pernicious Councils he had called in *Poitouvins* and other Strangers, to the great Oppression of his Natural-born Subjects, and Violation of their Laws and Liberties; wherefore they humbly besought him to correct these Disorders in the Government, otherwise the Earl and the rest of the Great Men would withdraw themselves from his Councils, so long as he made use of Strangers: To whom the Bishop of *Winchester*, being then present, replied, That the King might call in whomsoever he pleased for the Defence of his Crown, and also such and so many as might reduce his Proud and Rebellious Subjects to due Obedience. When the Mareschal and the rest heard this Answer, they retired from Court, promising faithfully to stand by each other till Death in this Dispute. From whence we may observe, That under weak Princes, the often change of Chief Ministers of State, proves commonly to the Disadvantage and greater Oppression of the People; for now the Bishop of *Winchester* proved much worse than *Hubert de Burgh* was before.

[3]
Id. p. 386.

The K. summons the Earls and Barons to a Council.

They refuse to come, and send the K. a very sharp Message.

The Bp. of *Winchester*'s Advice to the King.

[3] Soon after, the King summoned all the Earls and Barons of the Kingdom to meet him at *Oxford* on the Feast of *St. John Baptist*; but they refused to obey his Summons, because they feared and hated the Foreigners that were about him, who now disposed of all things: Then he was advised to send out a Second and Third Summons, to try whether they would come or no to *Westminster* on the Eleventh of *July* following, promising also by their Council to reform whatever was amiss. But when the Great Men heard, that upon the King's Invitation many Strangers privately and by degrees (with Horse and Arms) were landed in *England*, and not seeing any prospect of Accommodation, they laid aside all thoughts of meeting the King on the Day appointed, and by select Messengers declared unto him, That unless the Bishop of *Winchester* and the *Poitouvins* were forthwith removed from his Court, they would, by the Common Council of the Kingdom, force both Him and those Evil Counsellors out of the Realm, and would consult about creating a New King.

The King and the Court being much startled at this sharp Message, he was advised by the Bishop of *Winchester* to reduce his Rebellious Subjects by Force, and dispose of their Castles and Lands to the *Poitouvins*, who would defend the Kingdom of *England* from such Traitors. The first Nobleman that fell under the King's Displeasure was *Gilbert Basset*, who applying himself to the King for a Mannour that had been unjustly taken from him, was called

Traitor

Traitor, and threatned that if he did not depart the Court, he should be *Hanged*: The next was *Richard Sward* a Knight, that had married *Gilbert Basset's* Sister, or Neice; the King commanded him to be apprehended and brought before him; and from every Noble and Powerful Man he suspected, he required Pledges for his Fidelity, and by his Letters ordered them to be presented to him before the beginning of *August*.

[4] The Nobility being highly incensed against these severe Proceedings, on the First of *August* the Earls and Barons came with a great Number of Armed Men to *London* to a * Conference, or Parliament, at a Day by them agreed on; but *Richard Earl-Mareschal* having received Advice from his Sister *Isabel* (Wife to the Earl of *Cornwall*, the King's Brother) that Snares were laid for him, retired into *Wales*; but the Earls of *Chester*, *Lincoln*, *Ferrars*, and Earl *Richard* the King's Brother, with many other Earls and Barons came thither; yet nothing was done, because the Earl-Mareschal and *Gilbert Basset* were absent. Then the King, by the Advice of the Bishop of *Winchester* and *Stephen Segrave*, summoned all that owed him any Military Service to come to *Gloucester* on the *Sunday* before the Assumption of the *Blessed Virgin*, (that is, the Fifteenth of *August*) with Horse and Arms; but *Richard* the Earl-Mareschal, and others confederated with him, refused still to come: Upon this, the King (as if they had been Traitors) burnt their Towns, destroyed their Parks and Warrens, and besieged their Castles; and without any Judgment of his Court, or their Peers, proscribed them, and disposed of their Lands to the *Paiskovins*, and commanded their Bodies to be taken where-ever they could be found.

[5] The Bishop of *Winchester* had been so cunning, as that by a Thousand Marks well and seasonably bestowed, the Earls of *Chester* and *Lincoln* were gained over to the King's side; for the Earl of *Cornwall* had before left the Mareschal, and returned to his Brother. When the Mareschal saw himself thus deserted by these Earls, he entred into a Confederacy with *Llewellyn* Prince of *Wales*, and other Chief Men of that Country; and they all took an Oath not to make any Peace but by General Consent. And now the King having received great Numbers of Foreigners from beyond the Seas, marched with them down to *Hereford*, and from [1] thence, by the Advice of the Bishop of *Winchester*, he sent the Bishop of *St. David's* to besiege the Earl-Marshal, and commanded his Army to march against him, and besiege his Castles; One of which was so well defended, that the King was afraid he should be baffled, and with Disgrace forced to raise the Siege; whereupon he sent some Bishops to the Earl, with Offers, That if he would surrender the Castle to the King, it should be given him entirely back again within Fifteen Days; and farther, That he would correct what was amiss in his Kingdom by the Council of his Bishops, who should be his Sureties. Upon these Conditions the Castle was delivered to him, and the Day appointed for the performing these things was the next *Sunday* after *Michaelmas-day*.

[2] When

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[4]

Id. p. 387.

Colloquium.

The Nobility

met at Lon-

don, but not

the Earl-Ma-

reschal

The K. sum-
mons his Te-
nants in Capi-
to appear at
Gloucester with
Horse and
Arms; but
upon their re-
fusal, they are
proscrib'd,
and treated
like Traitors.

[5]

Id. ib.

The Bp. of

Winchester

buys off two

great Earls

from the Bi-

rons side.

The Mares-

chal confede-

rates with Pr.

Llewellyn.

[1]

Id. p. 388.

The K. besieges
the E. Mares-
chal.

The K. pro-
poses an Ac-
commodation
to the Earl,
which is ac-
cepted, and
he delivers
the Castle on
Terms.

Anno Dom.
MCCXXXIII

[2]
Id. id.
The Earl de-
mands Resti-
tution, accord-
ing to the
Agreement.

The Great
Men and the
Preaching Fri-
ars supplicate
the K. to be re-
conciled to
the Nobility.

The Br. of
Winchester's
Reply.

The Bishops
threaten to
Excommunicate
him, and the
rest of the K.'s
Councillors.

The K. com-
mands the Bi-
shops to Ex-
communicate
the E. Mar-
chal, but they
refuse it.

[3]
Id. id.

The K. mar-
ches into
Wales, where
he is defeated
by the Earl's
Policy.

[2] When the Fifteen Days were expired, the Marechal, according to the late Agreement, expected the restitution of his Castle, and sent to the King to demand it; but he answered him, That he would not restore it, but would endeavour to subdue his other Castles. The Marechal finding that neither Promises nor Oaths were observed by the King's Councillors, besieged the Castle, and without much Difficulty regain'd it.

On the Ninth of October, the Great Men met the King at Westminster, to reform what was amiss in the Kingdom, according to appointment, where they all humbly beseeched him to be reconciled to his Barons and Nobles; also the Preaching Friars and Minors (whom the King much Reverenced) exhorted him to extend his Affection to his Native Subjects, and not to banish, spoil, and destroy them without Legal Process, nor to call them Traitors who procur'd the Publick Peace, and by whose Councils the Management of all Affairs of the Kingdom ought to be directed. To this the Bishop of Winchester replied, That there were no such Peers in England as in France, and therefore it was Lawful for the King of England, by such Justices as he was pleased to appoint, to banish any Guilty Persons out of the Kingdom, and by Judgment to condemn them.

When the Bishops heard this, they unanimously threatened to Excommunicate all the King's Principal Councillors by Name, in the Front of which List were Peter Bishop of Winchester, Peter de Rivaux, Stephen Segrave Justiciary, and Robert Passelen Treasurer. The Bishop of Winchester alledged for himself, that he was consecrated Bishop by the Pope, and so was exempted from their Authority; and therefore to prevent the Sentence, he appealed to his Holiness. Thereupon the Bishops Excommunicated all those who alienated the King's Mind from his Natural Subjects, and that disturbed the Peace of the Kingdom. During this Conference, the King by an Express was certified, that the Marechal had retaken his Castle; at which he was so much troubled, that he commanded all the Bishops to Excommunicate him; but they utterly refused, because (as they said) he did thereby only recover what was his Right. Thereupon the King Summoned all that owed him Military Service, to meet at Gloucester with Horse and Arms the Day after All-Saints.

[3] The King having gathered together a vast Army at Gloucester, marched towards Wales; but the Marechal had before destroyed all the Forage thereabouts; so that in a short time, through want of Provision, the King was forced to retire with his Army to the Castle of Grosmont (in Monmouthshire.) The Marechal by his Spies understanding that the King lodged within the Castle, and the greatest part of his Army quartered without in Tents, he came by Night, entred the Camp, and put the whole Army into such a Disorder, that they immediately fled, and left Five hundred Horses, and all their Baggage, for a Prey to the Marechal; but he would not suffer any of the King's Soldiers either to be taken or hurt; by which means only Two of the whole Army (and they too through their own Indiscretion) fell by the Sword. The King seeing himself almost alone, and encompassed with Enemies, that he might prevent the Incursions of the Welsh, placed the ravaging

Poict-

Poitovins in his Castle, under the Command of *John de Monmouth*, and *Ranulph de Tony*, and so returned to *Gloucester*.

Upon this, [4] the *Mareschal* marched towards *Monmouth*, which which was well fortified and defended by *Baldwin de Gysnes* and his *Poitovins* and *Flemings*, to whom the King had committed the Town. They understanding that the *Mareschal* was taking a View of the Town with but a small Number of Soldiers, sallied out, and almost surprized him by an Ambush they had laid; and he had been taken Prisoner, if his own Valour and the Bravery of some that were with him had not rescued him out of their hands: In this Sirmish *Baldwin* was so desperately wounded, that he was taken up half-dead, which made them leave the *Mareschal*, and retire with their Captain into the Town. When the rest of the Earl's Army heard what had befallen their General, they came with great Fury, and revenged themselves upon the Strangers, killing and taking Captive most of those that came out of the Town.

Here follows in *Matt. Paris* a long Account of the Proposals of Peace, that were about this time made to the Earl *Mareschal*, whilst he quartered at the Abbey of *Margan* in *Wales*; which since they are somewhat too long for a place in our History, I omit; however, they deserve the inquisitive Reader's Consideration, because they contain not only all that was objected by the King and his Councillors against him, but also divers curious Points, relating to the Antient Right of the Barons of *England* to be Judged by their Peers, as also the Chief Heads of the *Mareschal's* Defence against those Accusations.

[5] About this time *Hubert de Burgh* being still Prisoner in the Castle of the *Devises*, had notice by a Friend at Court, that the Bishop of *Winchester* his great Enemy: had earnestly desired of the King the Custody of that Castle, that so (as it was said) he might have an Opportunity to dispatch him out of the way. Upon this Information, *Hubert*, by the Assistance of Two Servants that waited on him, made his Escape on *Michaelmas-Eve* out of the Castle, and got into the Parish-Church; but so soon as it was known that he had thus given them the slip, divers of the *Garrison* went out with Lances, Clubs, and other Arms to seek him, and they found him in the Church before the Altar, with the Cross in his Hand; thereupon they beat and banged him severely, driving him, and the Two that assisted him to make his escape, into the Castle again, and put him under a strict Guard: But when the Bishop of *Salisbury* heard what was done, he went to the Castle, and commanded those that had thus violated the Privilege of the Church, to carry him back, and leave him in the same state they found him: But they told the Bishop, they had rather *Hubert* should be hanged than themselves. So upon this peremptory Answer, the Bishop *Excommunicated* all by Name that refused to obey his Commands; and then went with the Bishop of *London* and other Prelates to the King, and obtained so much Favour for *Hubert*, that he was sent back to the Church on the Eleventh of *October* following; yet the King being still very angry at him, ordered the Sheriff of the County to guard the Church, that so he might be starved for want of Provisions.

Anno Dom.
MCCXXXIII

Id. p. 390.
The Earl
marches to-
wards Mon-
mouth, and is
like to be ta-
ken in an Am-
bush.

Id. p. 388.
H de Burgh
endeavours to
escape, but
without suc-
cess.

He is retaken,
and ill used
Soldiers.

Who are
thereupon
Excommunicat-
ed by the Bp.
of Salisbury.

Hubert is car-
ried back to
the Church.

But

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MCCXXXIII

Matt. Paris
mistaken in
the time of
Hubert's re-
turn to the
Church.

* Rot. Pat. 17
H. 3. M. 1.
Printed in
Dr. B's Ap.
N. 154.

But notwithstanding what *Matt. Paris* relates concerning this Affair, 'tis certain *Hubert* was sent back to the Church before the Eighteenth of *October*, for on the Fifteenth of that Month, the King sent his Writ or Letter (upon *Record in the Tower) to the Good Men of *Wiltshire*, to let them know, he had sent *Ralph de Bray*, and *Ralph de Norwich*, as his Justices, to receive *Hubert de Burgh's* Abjuration of the Kingdom, in case he would not come out of the Church, and stand to the Laws in the King's Court; or else to do him Justice in his Court if he would come out of the Church, and answer there, as he had agreed to do: But if he would do neither, then the *Wiltshire* Men were commanded diligently to guard the Church and Church-yard, as the Justices should direct.

But it is certain, That on the Thirtieth of the same Month, [1] *Hubert*, by the Assistance of his Friends, was taken out of the Church by Force, and being by them Armed like a Common Soldier, made his Escape in that Disguise into *Wales*, and joined himself to the King's Enemies: Thus he, who, when he was in power, was all for Absolute Obedience to the King's Will, now when the Tide was turned, and he came to be oppressed himself, stood up stiffly then for Self-defence; as is commonly observed in all Men of Arbitrary Principles.

[1]
Id. p. 389.
Hubert makes
his Escape in-
to *Wales*, and
there joins
with the K's
Enemies.

I shall conclude this Year with some Account of Ecclesiastical Affairs. [2] *John Blund*, Professor of Divinity in *Oxon*, having been last Year Elected Archbishop of *Canterbury*, (as you have already heard) his Election was declared void at *Rome*, because that after his said Election he had received a Thousand Marks in Silver from *Peter Bishop* of *Winchester*, as a Present, besides another Thousand he had lent him before upon his Promotion, which was adjudged to be *Simony* by the Pope.

[2]
Id. p. 385.
The Election
of *John Blund*
to the See of
Canterbury, de-
clared void by
the Pope, and
why.

[3] Yet at last his Holiness was pleased to give those Monks, who came along with the Person now laid aside, leave to chuse *Edmund*, Chanon of *Salisbury*, Archbishop, being a Learned Man, and of a very strict Life, which Election being confirmed by the Pope he some time after sent him over the Pall.

[3]
Id. id.
The Monks
that were sent
to *Rome*, Elect
Edmund Cha-
non of *Salis-
bury* Archbi-
shop, who is
confirmed by
the Pope.

[4] Also some time after *Walter Bishop* of *Carlisle* thinking himself injured by the King, took Shipping to pass beyond Sea, but was seized by the King's Officers at *Dover*, who would not permit him to go out of the Kingdom without first obtaining his License; but *Roger Bishop* of *London* arriving there from *Rome*, and seeing the Affront that was done him, Excommunicated all those that had laid violent hands upon him; from whence going to the King at *Hereford*, he complained of the Wrong that had been done that Bishop; but having no redress, he renewed the Sentence, upon all those that had done it. The King in the mean time murmuring against it, forbade him to pronounce any such Sentence; yet notwithstanding this, all the Bishops there present agreed with him, and Excommunicated all those that had occasioned this Disturbance, so powerful were the Clergy in those Times.

[4]
Id. p. 387.
Walter Bp. of
Carlisle seized,
going over
without Li-
cence.

Those that
did it are Ex-
communicated
by the Bishop
of *London*.

[5] I cannot here [5] omit a strange Accident that happened on the Eighth of *April* this Year; In the Morning about Sun-rising there appeared at once four Counterfeit Suns of a reddish Colour, besides the True one, *being placed in the several Sections of four lesser Circles made upon one great Circle that encompassed the whole Horizon, and

[5]
Id. p. 385.
A strange ap-
pearance of
Five Suns.
*See the Figure
of it in the An-
chor.

and passed over the Body of the True Sun: For the Scheme of which *Rheumatism*, I refer the Curious Reader to our Author, where he may find it exactly delineated. Anno Dom. MCCXXXIII

This Year the King kept his Christmas at Gloucester with a very small Court, because divers of the Great Men, who had suffer'd so much at the Castle of *Grosmont*, were retired, and could make no Appearance. Anno Dom. MCCXXXIV Id. p. 393.

[1] The Day after Christmas, *John de Monmouth* having gathered together a great Number of Soldiers, designed privily to Attack the Mareschal; but he was Counter-plotted by the other's Policy, and Defeated, and a great number of his Soldiers slain on the spot, he himself narrowly escaping: Then the Mareschal and those that were Confederated with him, Ravaged, Spoiled, and Burnt the Lands, Goods, and Houses of the King's Principal Councillors, so that nothing escaped them from the Borders of *Wales* to *Shrewsbury*, which they also Burnt. [1] Id. p. 394. The Mareschal defeats John of Monmouth. And spoils the Estates of the King's Councillors.

[2] All this while King *Henry* remain'd with the Bishop of *Winchester* at *Gloucester*, not having sufficient Force either to oppose or repress those Devastations; from whence he went to *Winchester*, and left those Countries to his Enemies. [2] Id. ib.

Then the Bishops were instant with the King to make Peace with the Mareschal; but he refused it unless he would acknowledge himself a Traitor, and come in with a Halter about his Neck. The Bps urge the K. to make Peace with the Mareschal, but in vain.

[3] But when the King's Councillors saw their Houses burnt, their Lands destroyed, and their Friends the *Poictovins* in great numbers slain, and themselves without Remedy, they studied how to ruine the Mareschal by Treachery, whom they could not Conquer by Force, which at last they effected by this wicked Means. They compos'd and wrote Letters in the King's Name, (though without his privity) Sealed with his, and Eleven of their own Seals, and directed them to *Maurice Fitz-Gerald* (the King's Justiciary in *Ireland*) to *Walter* and *Hugh de Lacy*, *Richard de Burgh*, and *Geoffrey March*, and several Others the Earl-Mareschal's Sworn-Men or Feudataries, shewing, That although the Mareschal was proclaim'd a Traitor, and, by the Judgment of the King's Court, proscribed, and divested of his Paternal Inheritance, yet he ceased not to pursue the King with his wonted Malice; wherefore they required them, as the King's Faithful Subjects, to use their utmost Endeavours, whenever the Mareschal should come over thither, to take him Alive or Dead, and present him to the King, which if they carefully perform'd, all his Estate and great Possessions in *Ireland*, should be divided among them; for which they gave them the King's Promise, and they themselves would become Sureties for the Performance of it. [3] Id. ib. The King's Councillors contrive the Mareschal's Destruction. They write Letters to the Justiciaries and Great Men of Ireland.

[4] When the *Irish* Noblemen heard the Tenor of these Letters, they sent private Messengers to those Councillors with Letters, assuring them, That if they could be secured by the King's Charter of what they had promised them, they would undertake to effect what he so desired. Then these Councillors stole the Seal from *Ralph* Bishop of *Chichester* the Chancellor, and therewith Sealed a Charter without his knowledge, by which all the Rights and Possessions of the Mareschal were to be divided among them; and

Anno Dom.
MCCXXXIV
And Invade
the Mare-
schal's Terri-
tories in Ire-
land.

[5] Id. p. 395.
* Colloquium.
The K. at a
Treaty or
Conference
with the Bps,
rebukes the
Bp of Chester
and others of
the same Or-
der, for Cor-
responding
with the Ma-
reschal.

forthwith dispatch'd a Messenger with it to the above named Irish Noblemen, who no sooner received it, but they Confederated and resolved the Destruction of the Marschal; and in order to it they raised a great Army, with which they enter'd his Lands, took his Castles, and grievously Plunder'd them, that so they might provoke him to come over into Ireland.

[5] On Candlemas-Day the King came to a Treaty at Westminster, with the Bishops and Nobility; wherein he severely rebuked Alexander Bishop of Chester, and some other Bishops, for keeping Correspondence with the Earl Marschal, as if they endeavoured to Dethrone him; but the Bishops being highly provoked against those who had thus Calumniated them, Excommunicated all such as had suggested these things to the King. Then Master Edmund, the new Archbishop Elect of Canterbury, (and several Bishops of that Province who were present at this Conference) went to the King, and represented to him the miserable State that both He and the whole Kingdom were brought into, by his following the pernicious Councils of Peter Bishop of Winchester, and Peter de Rievaulx, and their Accomplices, to whose Advice they ascribed all the Evil Events, Wars and Calamities that had happened in this King's time; adding withall, That if he did not very suddenly remove from his Court those Evil Counsellors, and receive his Native and Liege-Subjects into his Councils, and the Management of the Affairs of the Realm, (as is the Custom of other Nations,) they must proceed to Ecclesiastical Censures against all Gain-sayers; The King hereupon answered, He could not reform his Council, untill he had taken their Accounts, and so desired a small Respite; Upon which, this Conference was dissolved, and every one went away pretty well satisfied, and full of hopes of a speedy Accommodation.

[1] Id. p. 397.
Edmund being
Consecrated
A.B. of Can-
terbury, by his
Advice, the K.
promises to re-
form his Court
and Council.

[1] On the Second of April, Edmund was Consecrated Archbishop of Canterbury, the King being present, and on the Ninth of the same Month, He, together with the Earls, Barons, and the New Consecrated Archbishop and his Suffragans and other Prelates, met at another Conference at Westminster, wherein the King being first admonished by the Archbishop, of the desolate Estate of his Kingdom, and of the Danger impending it; and being again threatned with the Excommunication not only of all such as should oppose the Peace and Reconciliation they now proposed, but also of his own Person in case he took part with them, He promised at last to be directed by their Councils; and some few days after commanded the Bishop of Winchester to retire to his Bishoprick, and mind the Care of Souls, and not concern himself any further with the Affairs of the Kingdom.

[2] Id. ib.
Peter de Rie-
vaulx is com-
manded to
give in his
Accounts.

[2] He likewise commanded Peter de Rievaulx to give in his Accounts, and yield up his Castles, and depart the Court, assuring him upon his Oath, That if he had not been a Beneficed Clerk, he would have caused his Eyes to be pulled out; He also discharged the Poitouvins from his Service, both in his Court and Garisons, commanding them to go into their own Country, and never see his Face more. Thus having purged his Court, and removed his Evil Counsellors, and cleared his Kingdom of Strangers, he submitted himself to the Advice and Councils of the Archbishop and Bishops, by

by whom he hoped to reduce his unsettled Kingdom to a prosperous Condition.

[3] Immediately after this, the King sent *Edmund* now Archbishop of *Canterbury*, with the Bishops of *Chester* and *Rockester*, to *Llewellyn* Prince of *Wales*, and *Richard* Earl-Mareschal to treat about a Peace; but the latter having before received notice of the Spoils and Rapines that were committed upon his Lands and Castles in *Ireland*, and seeing the King was gone *Southward*, and had left off his design against *Wales*, he thought he might lay hold of this Opportunity to pass over into *Ireland*; so taking with him only Fifteen Knights, he went thither.

But [4] so soon as ever he Landed, *Geoffrey March*, with the other Great Men of the Kingdom, who had privately Confederated against him, came to him, and under colour of Friendship advised him to reduce his Enemies by Force, and that he might thereby easily bring all *Ireland* under his Obedience: The Mareschal fearing the innate Treachery of the *Irish*, was not willing at first to close with this Advice; but *Geoffrey* having reproached him with this, as if it were for want of Courage, and also urging his Antient Right by *Lineal Descent* from Earl *Richard Strong-bowe*, that had Conquered *Ireland*; and they all giving him a seeming Hearty assurance of their Assistance and Fidelity, he raised a Great Army, and at first proceeded with such Success, that none durst withstand him; for he took the City of *Limerick*, and the King's Castles as well as those of his Enemies: Upon this the *English-Irish* Noblemen, who had raised an Army against him, finding they could not prevail by Force, resolved to try what they could do by Fraud and Treachery; therefore sending certain *Knights-Templars* to him, they acquainted him, that though he acted as Traiterously against his Prince in *Ireland* as he had done in *England*, yet nevertheless they came to desire a competent Truce, that so they might in the mean time send over to the King of *England* to know his Pleasure, whether he would defend *Ireland* or not; for if he declin'd it, they were then resolved to surrender to him the whole Country, without any farther Strife, or Effusion of Blood; To which Message, the Earl-Mareschal (having first Justified himself to be no Traytor by the Laws of the Kingdom) replied, That he was willing to meet them the next day in a certain Meadow to treat of Peace; which answer being brought to the *English Irish* Lords, they were over-joy'd at it, because they knew very well their Forces were more Numerous than those the Mareschal would bring along with him, and therefore were resolved not to part without Fighting. Hereupon the Mareschal asking the Advice of *Geoffrey de Maris* and the other Knights, what was best to be done, this *Geoffrey* Treacherously dissuaded him not to grant them any Truce; making him to believe, that so soon as his Enemies saw him armed in the Field, they would all turn their Backs and run away. The Earl too much relying upon this Wicked Council, came the next day as he had promised to the Place of Treaty, with a very small Force, where the *Knights-Templars* mediating between them, they began indeed to treat of Peace; but when the *Irish* Lords heard, that he was come thither with but a slender Guard, they sent him positive Word, that unless he would immediately

Anno Dom.
MCCXXXIV

[3] *Id. ib.*
The Mareschal passes into *Ireland* to secure his Lands and Castles.

[4] *Id. p. 398.*
Several great Men came to him at his Landing, on purpose to betray him.

He raises an Army, and at first has great Success against the *English-Irish* Lords.

Anno Dom. agree to a Truce, they defied him; which Propofal the Earl, by **MCCXXXIV** the Advice of that Traytor *Geoffrey*, and others his Accomplices who aimed at his Ruine, indiscreetly rejecting, the *Irish* Lords immediately marched againſt him, and the Fight being begun, all the *English-Irish* Knights, or Vaſſals, to the Number of above Eighty, either ran away, or went over to the Enemy, together with their Followers, ſo that no more remained with him but Fifteen Knights of his own Family; yet reſolving to die with Bravery rather than baſely yield, he ruſh'd into the miſt of his Enemies with thoſe few Men he had with him, and began to break the Ranks of his Adverſaries; till being deſerted by all the reſt, he was at laſt forced ſingly to defend his Perſon, which yet they durſt not attack, before they had Hamſtring'd his Horſe; and then when he was thus diſmounted, One of them ſeeing his Back unarm'd, wounded him there ſo deſperately with a Dagger, that he was taken up half Dead, and carried Priſoner to a certain Caſtle, which *Maurice* the Juſticiary had a little before got from him; where being kept cloſe, after Fifteen days (when he was thought on the Mending Hand) he departed this Life, though not ſo much of his Wound, as by the Villainous Roguery of an *Irish* Chirurgeon, who run a hot Iron into it, which put him into ſuch a violent Fever, as ſoon carried him off; and his Body was buried in the Church of the *Franciscans* in *Kilkenny*.

And at laſt dies by the Villany of an *Irish* Chirurgeon.

[5] *Id.* p. 403. The King laments his Death.

[1] *Id.* lb. The K. at the deſire of *Pr. Llewellyn* pardons all the proſcribed Noblemen.

[2] * *Id.* Dr. B's Ap. N. 155: where you will ſee the Letter at large from the Record.

The K. gives the Prince of *Wales* notice of his having reſtored to *Gilbert* the New Earl-Mareſchal, his Brother's Inheritance.

Thus died this Gallant Man, who deſerved to have lived in quieter Times, and under a King who knew better how to value Men of Worth: [5] Yet when he received the News of his Death, he much lamented the Loſs of ſo brave a Soldier, and ſo good a Subject, affirming, He had not left his Equal in the Kingdom.

[1] The Archbiſhop and Biſhops being now return'd from Prince *Llewellyn*, to the King at *Gloceſter*, and having informed him, That before he began any Treaty with them, he deſired the Noblemen that were Confederated with him, might be received into Favour; the King thereupon ſent out his Letters to all thoſe that were proſcribed to meet at *Gloceſter* on the Nine and Twentieth of *May*, to be reconciled unto him, and reſtored to their Inheritances, the Archbiſhop and Biſhops promiſing them Safe conduct: The Firſt that came to accept the King's Peace, was *Hubert de Burgh*, late Juſticiary of *England* and Earl of *Kent*, whom the King received very Kindly; after him *Gilbert Baſſet* and *Richard Sward*, with divers other proſcribed Perſons, who were ſeverally received with the Kiſs of Peace, (which was the Cuſtom of that Age, and amounted to a Pardon) and thus they were all reconciled to the King, and had their Rights and Inheritances reſtored to them.

[2] This being done, he gave Prince *Llewellyn* * by Letter ſpeedy Notice of it; and alſo that at the Interceſſion of the ſaid Archbiſhop, he had reſtored to *Gilbert*, Brother to *Richard* Earl-Mareſchal late deceased, all his Inheritance, both in *England* and *Ireland*, and received his Homage; and on *Whitſunday* following at *Worceſter* he Knighted him, and gave him the Mareſchal's-Staff; and alſo received *Hubert de Burgh*, *Gilbert Baſſet*, and *Richard Sward* into his Councils.

Then

Then the [3] Archbishop and Bishops, that were sent to Treat with Prince *Llewellyn*, made a Truce with him for Two Years, from the Feast of St. James, (or the Five and Twentieth of August following) upon these Conditions: First, That all Injuries done on both sides since the last Truce, should be referred to those that made it. Secondly, That all Lands taken from any one in the late War, should be restored. Thirdly, That all Men and Tenents that had receded from the Fealty of their Lords, and adhered to the contrary Party, might return again without damage or being questioned for it. Of this Truce the King gave notice to his Brother Richard Earl of Cornwall, and Ralph de Tuby, that they might be included in it, if they pleased, for their Lands in the Marches.

[4] At the same Meeting the Archbishop produced a Copy of that Treacherous Letter, which was sent into Ireland against Richard late Earl-Mareschal; whereupon the King, before the whole Assembly of the Bishops, Earls and Barons, protested, That through the Importunity of the Bishop of Winchester, *Peter de Rievaulx*, and other Councillors, he consented that his Seal should be put to those Letters, but assured them upon his Oath, he never knew the Tenor of them, though it was an Excuse only befitting such a Prince.

Then the King summon'd the Bishop of Winchester, *Peter de Rievaulx*, *Stephen Segrave*, and *Robert Passelem*, to appear on the Feast of St. John Baptist to give up their Accounts, and to answer to such Crimes as should be objected against them, especially for the late Abuse of his Seal in the Letter above-mentioned, and stand to the Law; but they being Conscious of their Crimes, and not daring to stand a Tryal, some of them took Sanctuary in Cathedral and Conventual Churches; and *Robert de Passelem* with some others fled, (as was believed) to Rome, but indeed hid themselves in a Cellar in the New Temple.

[5] Yet the King at the Request of the Archbishop, promised all those Persons safe Conduct, and appointed them on the Fourteenth of July to appear at Westminster, to answer to the Articles exhibited against them; where *Peter de Rievaulx* was the first that appeared in a Clerk's Habit, yet with a Dagger at his Girdle, and bowed to the King, at that time sitting upon the Bench with his Justices, who so soon as he saw him, called him Traytor, and accused him for his Pernicious Council, and required him to give an Account of his Treasuryship, as also the Wardships of young Noblemen and Women, with the Escheats and other Profits of the Crown, and then told him, he would commit him to the Tower; but he said he was a Priest, and ought not to be imprison'd, or be in the Custody of Laymen: The King thereupon replied, That he had hitherto behaved himself like a Layman, and as such he required what was committed to his Charge; yet said, That the Archbishop was present, and if He would undertake for him, he should be delivered into his hands; but the Archbishop being silent, the King sent him to the Tower, and seized all his Lay-Possessions; because under his Clerk's Habit he had a Coat of Mail, and a Knight's Weapon at his Girdle, which did not become a Clerk; but he remain'd there only Two days, and then was released by the Archbishop, carried to Winchester, and put into the Cathedral there.

[1] The

Anno Domini
MCCXXXIV

[3]
Id. ib.
Vid. D. Brady's
Appendix,
N. 156.

[4]
Id. ib.
The K. being
shewn a Copy
of the Letter
sent into Ire-
land against
the late Earl-
Mareschal,
utterly dis-
owns it.

He summons
his Ministers
to give up
their Ac-
counts, and
to answer the
Law.

[5]
Id. p. 495.
*Peter de Rie-
vaux* appear-
ing to answer,
is severely
treated, and
threatned by
the King.

*Peter insists
upon the Pri-
vilege of his
Priesthood,
which the K.
would not
allow.*

He is commi-
tted to the
Tower, and his
Estate seized.

Anno Dom.
MCCXXXIV

[1]
Id. ib.
S. de Segrave
also called to
account.

Hugh de Pates-
bulle is made
Justiciary.

[2]
Id. p. 406.
The K. sends
Aid to the
Earl of Bre-
taine.

K. Henry re-
fusing to give
the Earl of
Bretagne any
further Assi-
stance, he sur-
renders him-
self to the K.
of France's
mercy.

K. Henry seizes
all his Estate
and Honours
in England;
upon which
the Earl turns
Pirate.

[1] The same Day also appeared *Stephen Segrave* before the King, who likewise called him *Traytor*; and added, That it was by his wicked Council that *Hubert* Earl of *Kent* was removed from the Office of Justiciary, and imprisoned, and that many of the Nobility were proscribed: He required Him also to give an Account of his Justiciaryship; yet by the Mediation of the Archbishop and Bishops, he gave him time till *Michaelmas* following to prepare for it. Then the King, upon mature Advice, named *Hugh de Patesbulle* a Clerk his Justiciary; He was Son of *Simon de Patesbulle*, who had formerly managed that Office with great Integrity.

[2] This Year, about the Feast of *St. John Baptist*, the Truce between the King of *England* and *France* expiring, King *Henry* sent over to the Earl of *Bretagne* Sixty Knights, and Two thousand *Welshmen*, to enable him to fortifie the weak Places of his Dominions, because the King of *France* had raised a great Army, and actually besieged one of the Earl of *Bretagne's* Castles; but he was soon defeated by the *English* Forces, and many of the *French* were slain there, and all their Baggage taken; which so nettled that King, that he gathered together what other Succours he could, and was resolved again to invade *Bretagne*. This so frightened the Earl, that he desired a Truce till *All-Saints*; which was granted him; but it was upon delivery of those Castles, and besides upon condition, That if in that time the King of *England* came not in Person to his Relief, he should deliver all *Bretagne* and all his other Castles to the King of *France*. In the mean time, the Earl sent to the King of *England*, to desire him to come over to his Assistance, or else he said he must deliver up all *Bretagne* to his Brother of *France*: But King *Henry* answered, The Revenues of his Crown were not sufficient for the Defence of that Country, as he had found by the Three last Years experience; and withal, that he was quite tired with being at so great and vast an Expence to so little purpose. So soon as the Earl had received this Answer, he went directly to the King of *France*, with a Rope about his Neck, and acknowledged himself a Traitor, and then surrendered to him all *Bretagne*, with its Towns and Castles. Upon this, the King of *France* told him, that he was a wicked Traitor, and as such deserved a most shameful Death; yet he would grant him his Life, and the Earldom of *Bretagne* to his Son, as long as he lived; but after his Death, it should be annexed to the Crown of *France*. When King *Henry* heard what he had done, he seized on all the Estate and Honours that belonged to him in *England*: And so this miserable Earl being despoiled of all his Honours and Revenues, both by his open Enemy and seeming Friend, betook himself to the Seas, and became a notorious Pirate.

Thus this unfortunate King lost the best and surest Confederate he had, for want of supporting him in his great Necessity: And this is that Count *Peter*, on whom the Historians of *Bretagne* bestow the Nickname of *Mau-clerk*, or Ill Scholar; for though he had studied in the University of *Paris*, yet it seems that Place did not prove a very good School for Politicks, or else he might have met with better Success.

This

[3] This Year King Henry kept his Court and Christmas at Westminster, with very many Bishops and Great Men of the Kingdom; and about Candlemas after, Stephen Segrave and Robert Passelewe paid each of them a Thousand Marks for their Ransoms, but were not received into the King's former Favour, as they expected.

[4] In February following, Isabella the King's Sister (almost Beautiful young Lady of about Twenty Years of Age) was Married by Proxy to Frederick the Second Emperor of Germany, with great Pomp and Magnificence, and was conducted thither by the Archbishop of Cologne and Duke of Louvain, who were sent on purpose to wait on her. For this Marriage the King received Two Marks Scutage of every Plough Land, and out of it he some time after gave the Emperor Thirty thousand Marks, as her Portion: Nor was there ever before so great a Tax laid upon a Plough Land; and that this Tax was a Scutage, and not a Carriage (as Matt. Paris here calls it) being laid upon all Ecclesiastical as well as Lay-Fees, see the Prior of Coventry's Plea in the Office of the [5] King's Remembrance in the Exchequer.

Nothing hapned considerable this Year in Ecclesiastical Affairs, except that about Easter [1] Peter Bishop of Winchester at the Pope's Command, went to Rome to assist him in his War against the Citizens there (between whom and the Pope there was a very great Feud:); for the Pope well knew the Bishop was very Rich, and also very much experienced in Military Matters, being in his Youth brought up under the late Warlike King Richard, and indeed understood better how to Fight than Preach.

[2] As for other Foreign Affairs, the most considerable is, That the Ten Years Truce made by the Emperor Frederick with the Sultan of Babylon being now almost expired, Pope Gregory thought fit by a Bull, published for that purpose, again to command a fresh Preaching or Exhortation for the Crusado, with large Indulgences to all those who would undertake it; but this ended with the Pope's getting thereby a great Sum of Money into his own Coffers, as you will perceive in due time. I find nothing else to have hapned this Year relating to Foreign Affairs, but that (according to the * Annals of the Abbey of Abbingdon) the Bishops of Ely and Hereford were sent over into France, to conduct the Daughter of the Earl of Provence into England, the Match having been (it seems) concluded some time before.

[3] This Year the King kept his Court at Winchester, and on the Fourteenth of January, was Married at Canterbury, by Edmund Archbishop of that Place, to Eleanor, Second Daughter to Raymond Earl of Provence; and though her Portion was very small, yet the Wedding was kept with great Magnificence.

[4] On the Nineteenth of the same Month, she was most splendidly and solemnly Crowned Queen at Westminster; Matt. Paris is very particular in describing the Solemnity of this Coronation, and what each Person performed in their particular Functions at it; among which, I cannot omit this remarkable Passage, That

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MCCXXXV.

[3]
Id. p. 409.
Stephen de Segrave and Robert Passelewe pay each of them 1000 Marks; yet are not received into Favour.

[4]
Id. p. 414.
Isabel the K.'s Sister is married to the Emperor.

[5]
Inter Cammarum & Termin. S. Hillar. 17. E. 3.

It is also printed at large at the end of Mr. Pety's Defence of the Rights of the Commons.

[1]
Id. p. 410.
Peter Bishop of Winchester is sent for to Rome, to assist the Pope in his Wars.

[2]
Id. ib.
The Pope causes the Crusado again to be preached up.

MS. in Bib. Acad. Cambr.

Anno Dom.
MCCXXXVI

[3]
Id. p. 419.
The K. marries Eleanor, Daughter to the Earl of Provence.

[4]
She is Crowned Queen at Westminster.

the

Anno Dom. MCCXXXVI the Earl of Chester (as Lord High-Constable) carried the Sword of St. Edward, called *Curteine*, before the King, in token, That he is Earl or Count of the Palace, and hath by Right a Power of Restraining the King if he should do any thing amiss.

The antient Power of the High-Constable of England.

[5]

Id. ib.

[5] On the same day, after the Coronation was over, the King went from London to Merton-Abbey, where he met his Great Men, and treated with them about the Affairs of the Kingdom: At this Time and Place were made the Laws called the Statutes of Merton, by the Deliberation and Consent of the Archbishop of Canterbury and his Fellow Bishops, with the Major part of the Earls and Barons of England; but I shall say no more of these Statutes here, but refer the Reader to the End of this Reign, where I shall shew Dr. Brady's unfair rendring of the Title of this Statute into *English*, and where also I have given you an exact Abridgment of it.

The Emperor sends to the King of England for his Brother Richard to come over to his Assistance.

The King's Answer and Excuse, why he could not grant it.

[1]

Id. ib.

Great Plunderings and Robberies committed in the Marches of Wales, notwithstanding the late Truce.

**Rot. Claus.*

20 H. 3. M. 16.

Dors.

Vid. Dr. B's

Ap. N. 157.

Whereupon

Commissioners are appointed to assess the Damages done on both sides.

[2]

Rot. Pat. 20 H.

3. M. 5. *Vid.*

Dr. B's Ap.

N. 158.

The Truce is renewed by the Archbishop of Canterbury for one Year, and on what Conditions.

[3]

Rot. Pat. 20 H.

3. M. 5. *Vid.*

Dr. B's Ap.

N. 158.

The Truce is renewed by the Archbishop of Canterbury for one Year, and on what Conditions.

[1]

Rot. Pat. 20 H.

3. M. 5. *Vid.*

Dr. B's Ap.

N. 158.

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[2]

Rot. Pat. 20 H.

3. M. 5. *Vid.*

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N. 158.

The Truce is renewed by the Archbishop of Canterbury for one Year, and on what Conditions.

[3]

Rot. Pat. 20 H.

3. M. 5. *Vid.*

Dr. B's Ap.

N. 158.

The Truce is renewed by the Archbishop of Canterbury for one Year, and on what Conditions.

[4]

Rot. Pat. 20 H.

3. M. 5. *Vid.*

Dr. B's Ap.

N. 158.

The Truce is renewed by the Archbishop of Canterbury for one Year, and on what Conditions.

To this Place came the Emperor's Messengers, with Letters from him, to desire the King without delay to send over Richard Earl of Cornwall his Brother, to his Assistance, against the King of France, whereby the King of England might not only recover what he had lost, but also much enlarge the *Transmarine* Dominions; to whom the King, by the Advice of his Great Men, return'd this Answer, That he could not judge it safe or expedient to permit one that was so Young, and the only Heir apparent of the Crown, and the next hope of the Kingdom, to expose his Person to the hazard of War: But if his Imperial Majesty would make choice of any other of the Nobility or Great Men of the Kingdom they were ready to yield to his Commands, and give him what Assistance they were able; And with this Answer the Messengers returned to the Emperor.

[1] Notwithstanding the Solemn Truce that had been made between England and Wales for Two Years, yet during this Time there were still great Plunderings and Robberies committed in the Marches, which they only termed *Interceptions* or Seizures; for it appears by the *Tower* [2] Rolls, That on the Sixth of March that Year Ralph Bishop of Hereford, with the Dean of that Church, Walter Clifford, and Walter de Beauchamp, were again constituted Arbitrators or Assessors of the *Amends*, or satisfaction to be made for Damages done on both sides, and for the Interceptions made (as was said) by Prince Llewellyn of Aberffraw, and Morgan of Caerleon, concerning the Castle of Caerleon.

And it farther appears from the [3] Rolls of this Year, that after this Arbitration or Determination of what *Amends* were to be made on both sides, Edmund Archbishop of Canterbury on the Eleventh of July, renewed the Truce for one Year longer, that is, until the Feast of St. James in the One and Twentieth Year of his Reign, between King Henry and Prince Llewellyn, and all that were openly concerned on either side; whereby it was agreed, the King and Prince should remain in the same Possession of Lands and Tenements, Vassals and Homages, as they were the Day of the making this Truce; saving to Morgan de Caerleon his Lands and Castles which Gilbert Earl-Mareschal had possessed himself of within the time of the Truce. If any Lands or Castles had been seized during the Truce, no Satisfaction was to be expected for them; but for

Good

Goods or Moveables, such *Amends* were to be made by the Arbitrators, who are sometimes called * *Assessors*, sometimes *Dictators*, or *Assessors* and the Truce was still to continue, so as no *Reprisals* or *Amends* were to be taken, for any Interception made of Moveables within the time of the Truce, nor for any Difference before the making of it. No new Castles were to be built or fortified in the Marches, and those which were demolished might be repaired during the Truce, and the Lands in the Marches were to remain in Communion according to the Stipulation in the last Truce.

[4] On the Nine and Twentieth of April the King summoned the Great Men of England to meet him at London, to Treat about the Affairs of the Kingdom; at which time they met accordingly, but finding the King to despise his Natural-born Subjects, and follow the Advice of *William Bishop Elect of Palence*, the Queens Uncle, (and a Stranger lately arrived here) more then was fitting, they were much surprized at it, and were also discontented, because that on the first Day of the Assembly his Majesty removed himself to the Tower of London, but thither none of the Nobility would come to him, upon which he return'd to his Palace at Westminster, where during this Council, many Things were treated on for the Good of the Realm; and one commendable Act especially the King there did voluntarily perform, which was, that he removed all Unjust Sheriffs, and those that had taken Bribes in the Execution of their Office, and substituted Men of better Quality and Estates in their Place, who should keep their Hands clean, and not be corrupted by Presents and Gratuities; yet notwithstanding he made these to swear, that they would not accept of any thing besides Meat and Drink, and that too but very moderately.

[5] At this Assembly the King of Scots by his Messengers required of the King the Restitution of such Rights, as belonged to him by Charter and the Testimony of many Great Men; but it seems nothing was then determined in that Affair. At the same time likewise a great difference arose between *Richard Earl of Cornwall*, and *Richard Sward*, which the King endeavoured to compose, but could not, and thereupon he banished *Sward* from the Kingdom. He at the same time also removed *Ralph Fitz-Nicholas* his Steward, and many other Great Officers of his Household from his Councils, and required the Bishop of *Chichester* his Chancellor, (who had behaved himself most unblameably in his Office) to deliver up the Great Seal; but he refused, affirming, That he had received it by the Common Council of the Kingdom, and could not therefore resign it up to any one without their Consent.

[6] At this time the Emperor sent to demand the Money King had promised him, as a Portion with his Sister, which I find is still unpaid, notwithstanding the late great Tax raised for that purpose.

Some time in May, *Peter de Rivaux* and *Stephen Segrave* were received into the King's Favour; which shews the great Fickleness and Inconstancy of this Prince's Temper, in so soon receiving into his Favour those very Men, whom but so lately he had called Traitors.

And

And Dom.
MCCXXXV
Correctors.
† Namia.

[4]
Id. p. 429.
A Council of
the Great
Men at London,
where the No-
bility are
much discon-
tented, and
for what
Cause.

— uoone and W
A sili bozay
of the 10
The King re-
moves all Cor-
rupt Sheriffs,
and puts in
new ones in
their Places.

[5]
Id. 18.
The King of
Scots demands
his ancient
Rights.

Several Offi-
cers of the
Court remo-
ved.

The Chan-
cellor refuses
to give up the
Seal, and his
Reasons for it.

[6]
Id. p. 431.

Ann. Dom.
MCCXXXVI

And indeed the Kingdom quickly felt the Effects of their ill Ministry, for on the Eighteenth of June the King summoned the Great Men of England to Winchester, where he by virtue of the Pope's Bull, endeavoured to avoid some Grants he had made before he was Married, alledging, They were invalid because they wanted the Pope's Confirmation, to whom he acknowledged the Kingdom by Right belonged; the Great Men were very much surprized to find the King thus industriously labouring to Enslave his Kingdom to such base Conditions: but it proved to no purpose, for he was now managed again by much the same Hands he was in before.

[2] This Year the King by the Advice of his Great Men, went to York to compose some Differences between Him and Alexander King of Scots, the Latter affirming, That he had not only a Charter, but the Testimony of several Bishops, Earls, and Barons, of King John's Grant of the County of Northumberland to him, upon the Marriage of his Daughter Johanna; adding moreover, That if he would not peaceably restore unto him his Right, he would endeavour to recover it by Force. That which emboldened the King of Scots to make so high a Demand at this time, was, that he thought Llewellyn Prince of Wales would be easily induced to break the Truce with King Henry; and he also relied on the Affinity of Gilbert Marshal, who had married his Sister Margaret; besides the present Hostilities beyond the Seas, wherefore the King of England having consulted about the present State of his Affairs, and the preservation of the Peace of his Realm, offered the King of Scots, in lieu of the County of Northumberland, the Yearly Revenue or Pension of Eighty Marks in some other Place; which though it may now seem but a very small Pension for a Prince, yet was accounted a great Sum in those Days, to be paid in ready Money; and therefore it gave a general Satisfaction to them all: But since it required time to settle it as it ought, the Conference or Treaty was for the present dissolved.

[3] I cannot here omit a strange [3] Prodigy, that happened (as our Author relates) in May this Year, near the Abbey of the Rock in York-shire; which was, that for divers Days together some Troops of Men on Horseback appeared to rise out of the Ground, and dividing themselves into Parties, seem'd to Fight and Skirmish one with the other, and at last to sink into the Earth again; the like Apparitions were also seen this Year in Ireland, only those seem'd sometimes to march, as if they had return'd from a Battle, wounded and routed, and leading Horses without Riders; those that saw them, not knowing what they were, ran into Churches and Castles for Refuge: This last Story our Author sets down from the Relation of the Earl of Gloucester, who affirmed it to be true.

[4] Id. p. 433.
The Fryars go through all England to preach up the Pope's Indulgences for the Holy War, and to absolve Mens Sins for Money.

[4] This Year affords us few Ecclesiastical Matters worth the noting, only the Preaching Fryars and Minors, went now through the Cities, Towns, and Villages in England, offering Plenary Indulgences to any who upon Confession and Penitence, would undertake the Crusado: Soon after the Pope sent into England Fryar Thomas a Templar, and one of his Domesticks, with his Bull, to Absolve any one from his Vow for that Expedition, upon payment of a certain Sum

sum towards the defraying the Expences of the Holy-War; and whosoever should pay any Money for this end, although he was under no Vow, yet he should have the Benefit of this Indulgence, which raised great Indignation against the Covetousness of the Roman Court.

This Year the King kept his Christmas at Winchester, [5] from whence he sent out his Writs, Commanding all that belonged to the Kingdom or Government, namely Archbishops, Bishops, Abbots installed, Priors, Earls and Barons, that without fail they should meet at London on the Octaves of Epiphany, (i.e. the Thirteenth of January) to treat about the King's Affairs, and those which also concern'd the whole Realm; the Great Men yielded ready Obedience to this Summons, believing some great and difficult Affairs were to be transacted, and accordingly on St. Hilary's Day, an immense Number of Nobility, that is, the [1] whole Body of the Kingdom, met at London; and when they were thus met, and seated in the King's Palace at Westminster, William de Kede Clerk, and one of the King's Domesticks, a Discreet Man, and well skill'd in the Laws, arose, and as a Mediator between the King and the Great Men, declared the King's Intention and Desires, and that he was commanded to tell them, *That notwithstanding what the King had done hitherto, he would for the future be wholly directed by their Councils, who were his Natural and Faithful Subjects, that those that had been his former Treasurers, had unfaithfully Executed that Office, and that the King's Necessities at this time pressed him to require a further Aid of them; but he would now consent, that whatever was granted should be both Collected and Disposed of for the necessary Uses of the Kingdom, by Persons whom they should chuse and name for that purpose.* To which they replied, 'That they had very often granted, and paid sometimes a Twentieth, sometimes a Thirtieth, and at other times a Fiftieth Part of their Estates to the King, yet he could never be prevailed with, to remove or punish any one of the Enemies of the Kingdom; That he had never enlarged, but rather lessened his Dominions; and for the Assistance of others, had Extorted very frequently great Sums of Money from his own Subjects, as from the Meanest Slaves.' To this the King answered, *That the Payment of his Sister's Portion to the Emperor, and his own Wedding, had very much emptied his Pocket, but yet if they would now grant him a Thirtieth Part of their Goods, he assured them upon Oath, that he would never again Injure or Oppress the Noblemen of the Kingdom; But they replied, That these things were done without their consent, and seeing they were free from the Fault, they ought not to partake of the Punishment.*

[2] After this, they retired, to consider how they might moderate, and yet also satisfy the King's Desires; and on the other hand, the King being much concerned how he might gain the good Will of his Barons; assured them, 'That he never endeavoured by the Pope's Bull to void those Grants he had formerly confirmed to them by his Charter; and if any such thing had been suggested to him, he utterly disallowed it; and that he would for the future inviolably observe all the Liberties of the Great Charter; and for

Anno Dom.
MCCXXXVI.

Anno Dom.
MCCXXXVII.

[5] The K. summons a great Council or Parliament at Winchester.

*Nobility, i.e. the whole Body of the Kingdom.

[1] Who these were, see Rot. Cl. 2 H. 3. M. 7. Dors. Vid. Dr. B's Ap. N. 159.

The K's Demands for more Money.

The Answer of the Great Men.

The K's Reply, and Excuse for his present necessity.

[2] Id. p. 436.

They retire to consider of the K's Demands; and he also desired to gain the Favour of the Great Men.

And promised for the future to observe the Great Charter.

Anno Domini their better Security, commanded the same Sentence that *Stephen* late Archbishop of *Canterbury* had denounced against the Infringers of that Charter to be again solemnly published, that that so the Violators thereof might be the more inexcusable. After this, he added the Earl of *Warren*, *William Ferrars*, and *John Geoffry* to his Council, who swore they would never be corrupted by Gifts to deviate from Truth, but would always give the King good and wholesome Advice.

Whereupon a Thirtieth Part of all Moveable Goods was granted to the King, excepting every Man's Gold and Silver, with his Horses and Arms, which were to be used for the Benefit of the Commonwealth.

[4] And for the due Collection of the aforesaid Thirtieth Part for the Year following, Four Trusty Knights were to be chosen in every County of *England*, to whom the King was to add one Clerk, and they all to be sworn duly to collect and secure the Money in some Abbey, Church, or Castle, that so, if the King should recede from his Promise, it might be restored to every one again; so that when the Collectors came to levy it, it was paid on this Condition, That from thence forward the King should reject the Counsels and Advice of Foreigners and Strangers, and adhere to those of his Faithful and Natural Subjects. When this was done, the Council broke up, and every one went home reasonably well satisfied, that the King was at last prevailed upon to adhere to good Council. So powerful an Advocate is a Prince's Necessity, to make him do that which other Persuasions could not.

[4] About this time also, *Llewellyn* Prince of *Wales* being wearied out with continual Wars, and likewise taken with the Plague, and which was still worse, perplexed with the Rebellions of his own Son *Griffyn*, sent Messengers to the King to desire a Continuation of the League that was between them; and also to put himself and all his under his Protection, and that he would moreover hold his Lands of him in Fealty, and by an indissoluble League promised to assist him in all his Expeditions, with Men, Horses, and Money, as far as his Ability would reach. The King accepted these his Proposals, and thereupon sent the Bishops of *Hereford* and *Chester* to confirm them.

[5] This Year *Hubert de Burgh* Earl of *Kent* again incur'd the King's Displeasure, in marrying *Richard* Earl of *Gloucester* (being then his Ward) to his Daughter *Margaret*, without the King's Consent; but he was soon reconciled again, *Hubert* professing that he did not know the King had designed another Match for him; and also promised to pay a round Sum of Money; and that it seems was the powerful Argument which appeased the King's Anger.

[6] As for Ecclesiastical Affairs we find little, only that about the Feast of St. Peter and St. Paul (i.e. the Eighteenth of June) Cardinal *Orto* the Pope's Legate came into *England*, at the request of the King, but without the Knowledge of his Great Men; for which (it was said) the Archbishop of *Canterbury* very much blamed the King, as being a thing exceeding prejudicial to his own Dignity, as well as a great Damage to the Kingdom: However, he would not hearken to his Council, but received him (as did also

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and Excommunication is ordered to be denounced against the Infringers of it.

Whereupon a 30th part of all Moveables is granted to the King.

See the manner of collecting it in the Record last cited.

[4] Id. ib.

Llewellyn Pr. of *Wales* put himself under the King's Protection, and for what Reasons.

[5] Id. p. 437.
H. de Burgh again incur'd the King's displeasure, but is soon reconciled to him.

[6] Id. p. 447.
Orto the Pope's Legate comes into *England* and is received with great Pomp.

Id. p. 447.

Id. p. 447.

the Clergy) with great Pomp and Ceremony, large Presents being made him, some of which he refused (contrary to the Usage of those who had formerly come from Rome) which very much abated the Hatred conceived against him; and by his Mediation, Peter Bishop of Winchester, Hubert Earl of Kent, Gilbert Basset, Stephen Segrave, and Richard Sward, were reconciled to each other.

Matt. Westminster relates, That the Reason why the King sent forth his Legate into England, was, because he repented that he had bestowed such great Honours and Estates upon Earl Richard his Brother, and Gilbert the Earl Marfchal, and others, whom he thought were ungrateful to him; and therefore by private Messengers to the Pope, he desired him that he would please forthwith to send his Legate over hither to reform the State, as if it had been then in apparent danger. This shews the Meannesses of this King's Temper, who that he might domineer over his Subjects by the Pope's means, cared not how much he subjected himself and his Kingdom to his Exactions.

About this time, although according to the Act made in the Council or Parliament at London, the Twentieth Part granted to the King was to be collected, and secured in certain Monasteries, or Castles, to be disposed of towards the defraying the necessary Expences of the Kingdom; yet notwithstanding all this Caution, the King bestowed most of this Treasure upon Strangers, who carried it out of the Realm, and he now again wholly relied upon their Councils, which much exasperated the Great Men, and more especially his Brother Richard Earl of Cornwall, who thereupon went to the King, and represented to him the miserable State of his Realm; how that he had scraped from, and deprived his Natural Subjects of their Money and Goods, and had lavishly bestowed it upon Foreigners; adding withal, that the Archbishopricks, and all the Bishopricks of England had been void in his time, except those of York, Bath, and Winchester, besides what arose from vacant Abbeyes, Earldoms, Baronies, Wardships, and other Escheats, and yet his Treasure was never the fuller: Moreover, that he had lately called in the Pope's Legate, whereby he had so enslaved himself, that he could do nothing in his Realm, without his Consent; so that he was no longer King, but a Feudatary to the Pope.

[3] His Principal Counsellors and Advisers in these things were John Earl of Lincoln, and Fryer Geoffrey a Templar, Natives born within the Kingdom.

But as for Simon Montfort, who is also here named by our Authors, as one of the King's New Advisers, he was Younger Son to Simon Earl of Montfort in France, and was lately come over to make his Fortunes in England, having quitted the French Court by reason of some Dispute he had with Queen Blanche the King's Mother; yet did not this render him less odious to the English Nobility, as you will find hereafter.

[4] On the Fourteenth of September, the King summoned the Great Men to meet him and the Legate at York, to treat upon some great Affairs that concerned the Kingdom: The King of Scots met him there, to conclude the Difference depending between them. After much Consultation and Debate, it was agreed, That

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The private Reason of this Legate's coming over.

[2]
Il. p. 445.
Notwithstanding all the Caution of the late Parliament, the Money there given is squandered away upon Strangers. And he being wholly governed by them, it highly exasperates the Earl of Cornwall and other Great Men, who represent to the K. the miserable state of the Nation.

[3]
Id. p. 446.
Who were the K.'s principal Advisers in these Proceedings.

[4]
The K. summons a Parliament at York, where an Agreement is made between K. Henry and the King of the Scots.

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Rot. Pat. 21
H. 3. M. 8.

The Legate
signifies to
that King his
design of visit-
ing Scotland,
but is civilly
put off by
him.

the King of Scots should have Three hundred Pounds in Land by the Year in England, for which he should do Homage to King Henry; but he should not build any Castles upon it, and was to quit all Pretences to any farther Claim. But in the Record it appears to have been but Two hundred Pounds per Annum, and was to be out in Cumberland and Northumberland.

Then the Legate signified to the King of Scots, that he would go into Scotland to treat upon Ecclesiastical Affairs there, as he had done in England: But that King answered him, That he never remembered any Legate sent into his Kingdom, and he thanked God there was no need of any now; for neither his Father nor any of his Ancestors had suffered any to enter there; and so long as he was Master of himself, he would not allow it neither; and withal advised him to take heed how and when he entered into his Land; for he had an Ungovernable People, whose Violence and Fury would not be restrained. Whereupon the Legate, after he had heard what the King said, altered his Thoughts of seeing Scotland, and kept close to the King of England, whom he found very obsequious in all things: So great a difference there was between the Temper of these Two Princes, the one doing all he could to enslave his Kingdom to the Pope, the other to keep it free.

The Legate
holds a Synod
at London,
where several
Decrees are
made.

[5] So soon as the Legate returned out of the North, he held a General Council or Synod of all the Archbishops, Bishops, Abbots, and Priors installed of all England, in the West-end of St. Paul's Church, where a lofty Throne or Seat was erected for him. When all the Bishops and Clergy were assembled, and the Archbishops of York had taken their Places, the former on his Right Hand, the latter on his Left, after a short Sermon in Latin, he read aloud, and caused to be ratified by the Synod, certain Canons or Decrees, which are styled the Constitutions of Otto to this day; and for which, since they relate wholly to Ecclesiastical Discipline, I refer the inquisitive Reader to our *Lynwood* for further Satisfaction.

The death of
John the Scot
Earl of Chester
without Issue.

I must here likewise take notice, that John, surnamed the Scot, Earl of Chester, dying this Year without Issue, (and being poisoned, as was supposed) the King annexed that Earldom to the Crown, allowing his Sister's Fortunes out of other Lands, lest so Noble an Earldom should be divided among Women.

[1] I shall conclude this Year with that sad Account which our Author gives us concerning the General Corruption of the Church of Rome, about this time, and for which (says he) it must needs have incurred God's just Indignation, since its Chief Ministers and Governours seek how to scrape Money together, and fill their purses rather than to gain Souls: They study how to oppress Religious Persons, and to gain other Men's Goods by Penalties, as Usury, Simony, and other unlawful Means; but never took care of Justice and Honesty, or the Instruction of the Simple; that whosoever any way obtained an Ecclesiastical Benefice, was very solicitous how much it would yield him; but as for the Name of the Saint, to whom his Church was Dedicated, it was the last thing he enquired into, (if ever he did it at all;) and from thence

thence arose the Murmurs and Curfes of the People, and hereby was God daily provoked: And also, That by these great Wickednesses and Oppressions, the Greek Church set it self up against the Roman, expelling their * Emperour, and only obeying Germanus Archbishop of Constantinople: Of which Schism our Author gives us a long account, which I omit, not to be thought tedious; though this is sufficient to shew us the strange Defection of the Western Church in that Age from its primitive Purity; nor can it be questioned, it being related by so Impartial an Author as this Monk, who lived and wrote his History at this very time.

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* This was
Peter Count
of Auxerre, a
Frenchman.

[2] This Year King Henry at Christmas kept his Court at Westminster, and Simon Montfort, on the Day after Epiphany, married Eleanor the King's Sister (he himself giving her) in his own private Chapel: She was the Relict of William Mareschal late Earl of Pembroke, and had a very great Jointure. About which time the Pope having heard what great Disturbances were like to arise in England upon the calling in, and continuance of his Legate there, sent his Revocatory Letters to him; but he being very unwilling to depart from a Place where he reaped so great a Harvest, prevailed with the King, Earl Richard, and all the Bishops, to certify to the Pope under their Hands and Seals, That his Continuance in England would be of very great Advantage to the King, the Church, and whole Realm, whereby he obtained Leave to stay some time longer.

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[2]
Id. p. 465.
S. Montfort
marries Elias
the K's
Sister.

[3] But when Earl Richard and the Great Men heard that Simon Montfort was privately Married to the King's Sister, they were grievously enraged at it, because it was done without their Privy and Consent; and Earl Richard went to the King, and gave him very hard Words about it, because contrary to his late Promises and Oaths, he still adhered to, and was guided by the Counsels of Strangers. Then Gilbert Earl-Mareschal, and all the Earls and Barons of England seconded Earl Richard, whom they looked upon to be the Man that should free the Land from Italians and Strangers; so that none now stuck close to the King but Hubert Earl of Kent, whom for his Years, as well as divers other Reasons, they were not much afraid of. When the Legate saw the Danger the Kingdom was in, he applied himself to Earl Richard, and advised him to desist from opposing the King his Brother, promising him large Possessions from him, and the Pope's Confirmation of them. To whom the Earl answered, That he had nothing to do with the Estates of Laymen, but should only concern himself with Ecclesiastical Matters. But it was not strange that the Earl should be so much concerned for the present State of the Kingdom, seeing he was the only Heir Apparent to the Crown: And although so many Profits accrued every way to the King, yet by reason of the great Gifts he bestowed upon the Queen's Relations, the Treasury was empty, when the Kingdom was on every side encompassed with Enemies and Strangers, who were enriched with great Church-Revenues, and Benefices given and founded by his Pious Ancestors.

[3]
Id. p. 467.
The Nobility
are highly
displeased at
the Marriage,
and Earl Rich.
reproves the
K. for it, and
is seconded
by the Barons.

The Legate
advises the
Earl to desist,
but is reject-
ed.

[4] When

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[4]
Id. p. 468.

The Great
Men come
armed to meet
the K. at Lon-
don, where he
is fain to sub-
mit to them.

Graviter
Viri.

[5]
Id. ib.

[1]
Id. p. 468.
Simon Montfort
goes to Rome,
to procure a
Confirmation
of his Mar-
riage.

And obtains
orders for it.

[2]
Id. p. 469.
Otto the Le-
gate is ho-
nourably re-
ceived at Ox-
ford.

Where an un-
fortunate
Quarrel arises
between his
Servants and
the Scholars,
in which his
Cook is slain.

The Legate
goes away
and complains
to the King.

[4] When the Legate heard this, he endeavoured by Admonitions, Entreaties and Threats, to allure or affright the Barons of his Party into a Compliance, but all in vain, for the King saw their Inclinations were wholly bent towards his Brother; and therefore when he found he could do no good upon them, he deferred time till the day after the first Sunday in Lent to give his positive Answer. On the Day appointed the Great Men met at London, guarded with Horse and Arms, to compel the King (if he refused) to the performance of the Promises; and at last, after many long Debates, the King promised to submit himself to the Determination or Direction of some of the most Grave and Discreet Men; which Agreement was reduced into Writing, and Sealed both by the Legate and the other Nobles.

[5] At this time also Simon Montfort and the Earl of Lincoln (by their humble Submission and the Intercession of Friends, together with some Presents,) so wrought upon Earl Richard, that he was outwardly reconciled to them, they having first given caution to make satisfaction for the Injuries they had committed: But this was a great Blemish to his Reputation; and his Integrity was afterwards much suspected.

[1] Simon Montfort finding himself neglected by the King, as also by Earl Richard and the Great Men; and his late Marriage with the King's Sister like to be made null and void, having borrowed and got together what Money he could, took a Journey to Rome, hoping there to procure a Confirmation of his Unlawful Marriage, for the Countess his Wife, had some time before the said Solemnization, vowed perpetual Celibacy to the Archbishop of Canterbury, though she had not taken upon her the Habit of a Nun; but during her Husband's absence she remain'd privately at Kenelworth (it seems big with Child) expecting the Event of the Journey; but Simon by his Money so far prevailed with his Holiness, that notwithstanding it displeased Edmund Archbishop of Canterbury, (who was then at Rome) the Pope wrote to his Legate Otto to give Sentence for Simon Montfort's Marriage, and on the Fourteenth of October he returned into England, and was received by the King and all the Court, with all outward Satisfaction and Joy.

[2] Some time after Easter, the Legate went to Oxford, and was honourably received there by the Scholars, and Lodged in the Abbey of Osney; yet his coming thither occasioned a great deal of trouble to the University; for one day after Dinner, the Scholars coming to pay their Respects to him, they were uncivilly repulsed by the Porter, and ill treated by the other Servants, which caused a great many reproachful Words on either side; in the mean time a poor Irish Scholar begging for some Relief at the Kirchin-Hatch, the Legate's Chief Cook instead of an Alms, cast a Ladle-full of Boiling Water in his Face; but when a Welsh Clerk who stood nigh him saw this Outrage, he cryed out, *How long shall we endure this?* And having a Bow in his hand, forthwith shot the Cook (who it seems was the Legate's Kinsman) through the Body with an Arrow, upon which he immediately fell down dead; the Legate hearing of this Fray, secured himself in the Tower of the Church till Night, and by this means made his Escape and hastened to the King (ly-

ing

ing them at *Millingdon*, and with many grievous Complaints Related what had befallen him at *Oxford*: At which the King being moved, sent *Earl Warren* with some armed Men to relieve the Legate's Servants, who were still shut up there, and to repress the Insolence of the Scholars. The Earl when he came thither, took about Thirty of them, and imprisoned them in *Wallingford-Castle*: Then the Legate (after he was recovered of his Fright) calling to him some Bishops, beset the University of *Oxford*, and Excommunicated all that were Abettors or consenting to the late Riot.

[4] Soon after this, he summoned all the Bishops of England to meet him at *London* on the Seventh of May, to treat with him about Ecclesiastical Affairs; and there the Bishops offered something in behalf of the Scholars, whereof a great Number were at his Pleasure imprisoned, and the rest ready to make their Submissions to him: Then after many Intreaties, the Legate was at length prevail'd upon to restore them; but upon these Conditions, That all the Scholars should meet at *St. Pauls Church* (which was above a Mile from the Legate's Lodging) and go on foot until they came to the Bishop of *Carlisle's House*, and there should put off their Caps, Cloaks, and Shoes, and so go to the Legate's House, and humbly beg his Mercy and Pardon, which they submitting to, and performing, the University was restored, and the Legate promised it should be no Infamy or Reproach to them.

This Difference being thus composed, the King sent Assistance to the Emperor against his rebellious Subjects in *Italy*, under the Conduct of *Henry de Taverneville*, an Experienced Soldier, who was very successful in his Enterprises, and reduced many Cities to the Emperor's Obedience. The King likewise sent a Letter to the Pope on his Brother-in-Law's behalf, which was taken very ill at the Court of *Rome*, and put a stop to all the English Affairs there for some time.

I cannot omit here to mention the Deaths of Two Persons of Eminent Quality, though of different Sexes; The first was *Johanna Queen of Scots*, the King's Eldest Sister, who came into England the last Year to visit her Brother, and died the Fourteenth of March; the other was *Petr de Roper*, or *de Roche*, Bishop of *Winchester*, who deceased at *Farnham*, after he had Governed that Church about Two and thirty Years, who though he was a Man of Arbitrary Principles, and had been the cause of our King's Breach of *Magna Charta*, and of his advancing of Foreigners; yet to give him this due, he was certainly a Person very considerable for Policy, and long Experience in State Affairs, and being very rich, and a great Benefactor to Religious Houses, no wonder our Author gives him large Commendations, though before he would allow him no very good Character.

[5] The King had endeavoured all he could to encline the Monks of *Winchester* to chuse *William* his Half-Brother, Bishop Elect of *Valence*, to that Bishoprick; but he could not prevail with them, for they made choice of *Will. Roke*; however, the King refused him, and swore he would never accept of him: Then they proceeded to treat about another Choice, of which when the King heard, he endeavoured to influence or affright them to compliance with him by Promises

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[5] 1537
Id. p. 476. A

The Legate
Interdicts the
City.

[4] The Legate
calls a Council
of the Bishops at
London, who in-
tercede for
the Scholars.

Which he
grants, but
upon very
hard Condi-
tions.

[5] The K. sends
Assistance to
the Emperor,
which is ill
taken at Rome.

[1] Id. p. 468.

[2] Id. p. 473.

[3] Id. p. 473.
The Monks
of Winchester
refuse to chuse
William Bp. of
Valence; and
Elect Bp. of
Winchester for
their Bishop.

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At which the
K. is highly
displeased.

The K. takes
the Seal from
the Bp. of Chi-
chester, and
appointed
two Commit-
tioners to
keep it.

[4] A Plot against
the K.'s Life
and the Trial
taken.

Edw. IV
1461
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1470
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1499
1500

He confesses
who set him
on, and is ex-
ecuted.

He confesses
who set him
on, and is ex-
ecuted.

He confesses
who set him
on, and is ex-
ecuted.

He confesses
who set him
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He confesses
who set him
on, and is ex-
ecuted.

He confesses
who set him
on, and is ex-
ecuted.

had Threats, though all to no purpose, for they Elected Ralph Neville Bishop of Lichester, the Chancellor that Seal, which raised the King's Indignation to such a degree, that he bitterly reviled and reproached both the Monks and himself, and then forcing from him the Great Seal, he delivered the Custody of it to Geoffrey de Knight-Templar, and John de Lichester, but the Office of the Chancellorship still belonged to the Bishop. Then the King sent two Lawyers, Simon and Alexander, to the Court of Rome, who by Bribes and large Promises, procured the Election to be declared void. [4] After this, the King being at Woodstock in the Month of September there came One to the Court, who it seemed had been of some Note (for our Author calls him a Literate Gentleman) this Man feigning himself to be Mad, would needs have had the King to resign his Kingdom to him as his Right. The Officers about the King, hearing this Insolence, would have forced him away with Bedchambermen, but the King forbade them offering any Violence to him, saying he did nothing but right. He became a Mad-man: However, there was more so Mad as he feigned himself, for about midnight he got through a Window into the King's Bedchamber, with a long Knife drawn in his Hand and not finding him there (for he slept that Night with the Queen) the Fellow searched about in other Places: This was discovered by one of the Queen's Maids called Margaret Bisset, who (being then in her Devotions) cried out, and with her Noise alarmed the Guard, who presently coming in upon him, secured him till next Morning: Upon Examination, he confessed that he was employed by William de Mareschal, the Son of Geoffrey de Mareschal, to assassinate the King, and that many others were in the Conspiracy. Whereupon he was condemned to be drawn asunder by Horses at Coventry, which was executed accordingly, and his Body being Quartered, was sent to some of the Chief Cities of England, to be hanged upon a Gibbet.

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[5] Gilbert the
Earl-Mareschal
is refused
entrance into
the K.'s Pa-
lace;

And sending
to know the
reason, the K.
returns him a
severe Mes-
sage.

He confesses
who set him
on, and is ex-
ecuted.

He confesses
who set him
on, and is ex-
ecuted.

He confesses
who set him
on, and is ex-
ecuted.

[5] This Year King Henry kept his Christmas at Winchester, where whilst he was one Day at Dinner, Gilbert Earl-Mareschal came with several of his Friends to the Palace, but were denied Entrance by the Door-keepers. The Earl (suspecting something had been whispered in the King's Ear to his disadvantage) sent to him next Day to know why such an Affront was offered to him the Day before. To which Message the King replied, That Richard his Elder Brother was a Traitor and a Rebel, and continued so all the time that Divine Vengeance took him; That through the importunate Intercession of the Archbishop of Canterbury (and not his own Merit) he had restored to him both his Brother's Office and Inheritance, yet could recall it whenever he pleased. The Earl having heard the King's Answer, and being now satisfied of his Displeasure, retired from Court, and went into the North of England. Then, about Candlemass, the King created Simon Montfort Earl of Leicester, and received Stephen de Segrave again into his Council: So inconsistent was this poor Prince, that he never loved or hated any Man, but according to the Influence and Suggestions of those that were about him.

[1] This

[1] This Year the Pope by his Letters called home *Otto* his Legate; but the King fearing his Great Men would unanimously oppose him next Parliament, presently dispatch'd Messengers to his Holiness, with a Request to let him continue still in *England*, to appease the Troubles he expected there; which Licence the Legate some time after received by *Simon Norman*, who had been on purpose on that Errand; but when the Noblemen that were now come to *London* observed this, fearing the Legate's Wiles and the King's Subterfuges, they went home (slighting the King's fair Speech as meer Sophistry) without doing any Business.

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MCCXXXIX.

[1]

Id. Ib.

Otto is again recalled, but at the K.'s Request continued Legate.

[2] Soon after *Easter*, the King being sensible of his own Indiscretion, in discharging the Bishop of *Chichester* from the Chancellorship, and removing him from Court, used all the Arts he could to prevail with him to return to his Office; but he refused it, still remembering how he had been treated by the King, in pronouncing his Election to the Bishoprick of *Winchester* void, when he had both Served him and his Father so long with great Fidelity and Integrity.

[2]

Id. p. 485.

The K. again offers the Bp. of *Chichester* the Seal; but he refuses it with good Reason.

[3] This Year in *Lent* Pope *Gregory* by his Bull *Excommunicated* and Anathematized *Frederick* the Emperour, because he justified himself in seizing and detaining certain Lands and Castles belonging to the Bishop of *Sardinia*, and would not hearken to his Holiness's Admonitions to the contrary. Upon which the Emperour was some time after, by the Pope's Mandate, denounced *Excommunicate* in *St. Paul's Church*, and afterwards all over *England*, without any Contradiction; tho the King (as being his Brother-in-Law) had more reason than any other Prince to have hindred it; but he was then so absolute a Vassal to the See of *Rome*, that he durst not refuse any thing that she was pleased to impose.

[3]

Id. p. 486.

Frederic the Emperour *Excommunicated* by the Pope.

See the Pope's Bull in *Mart. Paris*, and the Emperour's Answer to it.

But to return to Domestick Affairs of greater Importance to *England*: [4] On the Sixteenth of *June* following, Queen *Eleanor* was safely brought to Bed, of a Young Prince at *Westminster*, who on the Fourth Day after, was Baptized *Edward* by the Legate in the Abbey-Church (although he was no more than a Deacon) the Archbishop of *Canterbury* being present, who only Confirmed him in the presence of several Bishops and Great Men.

[4]

Id. p. 488.

Prince *Edward* born.

[5] This Year *William*, one of the King's Messengers, being convicted of many Crimes, was condemned to die; but to prolong his own Life, he accused several of the Court of Treason, and among the rest *Ranulph Brettan*, Chanon of *St. Paul's*, and Treasurer, who was by the King's Writ to the Mayor of *London* apprehended, imprisoned, and laid in Irons in the *Tower*: Whereupon the Dean of *London*, with the Chanons, in the absence of the Bishops proceeded to *Excommunicate* all that were actually concerned in this Violation of the Church's Privilege; the King being admonished by the Bishop to correct his Error, and neglecting it, the whole City of *London* was threatned to be *Interdicted*, by the Legate, Archbishop, and Bishop of *London*. Thereupon the King (though against his Will) released him; but upon this Condition, That he should appear whenever he should be called upon to his Trial: But the Church would not consent to it; so at length he was set at liberty, but discharged the Court.

[5]

Id. p. 490.

Ranulph Canon of *St. Paul's* is falsely accused of Treason.

And is set at Liberty, tho' discharged the Court.

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MCCXXXIX.

Stephen de Segrave being now again become one of the King's Chief Councillors, behaved himself with more Prudence and Moderation than formerly; and soon after the Person that had defam'd *Ranulph* and many others, was executed on a Gibbet; and there he confessed, that he accused them only to prolong his own Life.

[1] On the Ninth of *August*, many Great Ladies being met at *London* to accompany the Queen to her Churching; so soon as the King saw *Simon Montfort* Earl of *Leicester*, and his Lady there, he told him he was an *Excommunicated* Person, and prohibited both him and her (though his own Sister) to be present at that Solemnity; adding withal, that he had first Debauched, and then (to avoid Scandal) Married her, and had gone to *Rome* to procure by Bribes the Pope's Confirmation of this unlawful Marriage: But when the Earl heard these sharp Words from the King, he was quite out of Countenance, and not being permitted by him to Lodge in the Palace of the Bishop of *Winchester* (which he had lent him) nor able by any means to appease the King's Displeasure, he that Evening hiring a Boat on the *Thames*, with his Lady and some few Attendants, took Shipping, and went beyond Sea: But what should be the occasion of this sudden Alteration of the King's Favour, besides the Fickleness of his own Humour, I cannot find.

[2] On the last of *July*, the Bishops met at *London*, to consider upon a very great, but difficult Undertaking, which was how they might relieve the Church of *England* from those many Oppressions it lay under, by the perpetual Exactions of the Pope's Legate; but instead of easing them, he demanded fresh *Procurations* from them; to whom they briefly answered, *That the Church had been so often squeezed by him and others from Rome, that they could endure it no longer*: So the Synod was dissolved, not without great Murmurs and Complaints; yet he extorted a great Sum of Money from the Religious Orders.

[3] Soon after this the Legate went towards *Scotland* with a Guard of *English*, to secure himself from any treacherous Attempts; but before he entred that Kingdom, he was met by the King of *Scotland*, who told him plainly, 'That never any Legate had entred there before, and there was no occasion for any at this time; for *Christianity* (he thanked God) flourished there, and the Church was in a prosperous Condition: But when Words began to multiply and grow high on both sides, and the King was about to prohibit his Entrance, then through the Intercession of the Great Men of *England*, it was agreed under the Hand and Seal of the Legate, that this should not be drawn into a Precedent; whereupon (as the Chronicle of *Melrose* informs us) the Legate entred *Scotland*, and held a Council or Synod at *Edinburgh*, and having scraped together what Money he could there, returned into *England*.

[4] About this time several Articles of Treason and High Misdemeanours were again, by the King's Order, exhibited in his Court against *Hubert de Burgh* Earl of *Kent*, pretended to be committed by him while the Management of the King's Affairs passed through his

Id. p. 497.
The K. shews
his sudden
Displeasure a-
gainst S. Mont-
fort and his
Lady for no
cause.

Id. p. 498.
The Bishops
consult how
to relieve the
Church from
the Exactions
of the Legate,
but in vain.

Id. ib.
The Legate
is refused en-
trance into
Scotland by
that King.

Id. p. 515.
Articles of
High Treason
are again ex-
hibited a-
gainst H. de
Burgh.

his Hands: To all which he answered by *Laurence* a Clerk of [1] *St. Albans* (his sure Friend in all his Adversities) with such Modesty and Submission, and yet so fully to the purpose, that all that heard him were satisfied with the Earl's Innocence; although the King and all his Lawyers or Pleaders did what they could to prove him Guilty: However, the King's Wrath was no whit abated, until he had resign'd into his hands four of his best Castles, namely, *Blanch Castle*, *Grosmond* in *Wales*, *Screnefrith*, and *Hayfield*. The Articles against the Earl and his Plea to them, are very long, together with their Answers, and are found at large in the [1] Additaments of *Matthew Paris*, to which I refer the curious Reader.

[2] But to say something of Foreign Affairs; This Year the Pope wrote to the King of *France*, to let him know, that he had by the Advice of his Brethren the Cardinals, *Excommunicated* and *Deposed* *Frederick* the Emperor, and had made choice of Count *Robert* the King's Brother to succeed him in the Empire; and then promised not only his own, but also the Assistance of the Universal Church to establish him in the Possession of the Imperial Crown: To which the King of *France* (by the prudent Advice of his Council) answered, That he knew not by what Authority so great a Prince was Deposed, nor was satisfied that the Crimes laid to his Charge were ever proved; and if they were, it ought to be done by the Act of a General Council, and not by the Pope, who was his Capital Enemy: Nor had he found so much Religion in his Holiness as in him; and therefore would not be engaged in so dangerous an Affair. Which when the Pope's Envoys heard, they went away confounded: Then there was sent solemn Ambassadors from the King of *France* to the Emperor, and they gave him a full Account of the late Message from the Pope; to which the Emperor made a Noble and Generous Reply, highly reflecting upon the Pope's Piety; which since it is not within our Province, I refer the Reader to our Author.

[3] This Year K. Henry kept his Christmas at *Winchester*, where he knighted *Baldwin de Rivers*, and then made him Earl of the *Isle of Wight*, and Married him to the Daughter-in-Law of his Brother *Richard* Earl of *Cornwall*: Then on the Octaves of *Epiphany* (or Thirteenth of January) the Archbishops and Bishops, with many Great Men, met at *London*, the Legate being present, where before the King in his own Court, the Bishops made grievous Complaints of his Injuries, Oppressions, and Desolations, that were brought upon the Church by his means, contrary to his Charters and Oaths, by keeping many Churches void for a long time, and taking the Profits of them to his own Use; as also for hindring Canonical Elections: And about Thirty Chapters of Cathedrals seconded the Bishops in their Complaints against the King; and at length they proceeded to *Excommunicate* all those his Councillors who had enclined his Mind to such Enormities.

Anno Dom.
MCCXXXIX.

[1] Id. p. 516.
Which are answered on his behalf by *Laurence* a Clerk.

[1] Id. p. 149.

[2] Id. p. 517.

Robert Brother to the King of *France*, chosen Emperor by the Pope and Cardinals. The King of *France* declines to engage himself in that Affair.

Anno Dom.
MCCXL.

[3] Id. p. 523.

Complaints against the Injuries and Oppressions, laid upon the Church.

Those who moved the K. to these Enormities are *Excommunicated*.

This

Ann. Dom.
MCCXL.

[4]
Id. p. 524.
The Empe-
ror's com-
plaint against
the K. and on
what ground.

The K's mean
Answer, yet
at last he ad-
vises the Le-
gate to with-
draw.

Id. Dr. B's
Ap. R. 168,
169.

[4] At which time also the King received an Express from the Emperor, wherein he complain'd, that sure the King had forgotten he had married his Sister, when he had suffer'd the Pope's Sentence of *Excommunication* against him to be published in his Realm, and had inconsiderately called in, and still continued in his Kingdom, the Pope's Legate, as *Coadjutor* in these Practices against him; wherefore he desired that the Legate might be thrust out of *England* as an Enemy and Pillager of his Subjects; to whom the King most shamefully answered, *That he ought to obey the Pope, and his Ecclesiastical Commands because he was his Tributary and Feudatory*: However, after some Consultation with himself, he advised the Legate to leave his Kingdom, lest by his stay here he should incense the Emperor; the Legate reply'd, That he had called him into his Kingdom, and therefore required safe Conduct for his Return. Thus the King, instead of Excusing, rather shewed himself guilty of greater Weakness; yet he being willing somewhat to appease the Emperor, wrote to the Pope on his behalf, beseeching him, that for Affinity's-sake, he would deal more mildly with him: But in the mean while, the Legate was not Idle in Collecting and Forcing the Clergy to pay their *Procurations*. Moreover, hearing (as he said) that some that had undertaken the *Crusado*, and were unable to fight, had gone to *Rome* for Absolution from their Vow, he by his Letters invited all such as were desirous of Absolution, and willing to spare their Labour and Expences, to come to him, and upon the Payment of a Sum of Money, they should be Absolved from their Oath, since he had received the Pope's Command, that he ought not barely to Absolve them, but also to compel them to redeem their Vow, that is, to compound for their Absolution by Money.

[5]
Id. ib.
Simon Montfort
returns into
England, and
kindly recei-
ved by the K.

[5] In April following *Simon Montfort*, Earl of *Leicester*, return'd again into *England*, and was very kindly received by the King and Court, but he designed to make no stay here, only to furnish himself with Money by sale of his Lands and Woods for his Journey to the *Holy-Land*; but his Lady being big again with Child, remained still beyond Sea.

A great difference between
the Scholars
and Towns-
men of *Oxford*.

About this time also there arose such a Difference between the Citizens and Scholars of *Oxford*, that many of them removed from thence, and settled at *Cambridge*, where the Scholars had before obtained certain Liberties from the King against the Townsmen; and that by his Grant or Charter: About the same time also the King caused the Citizens of *London*, and the Wardens of the *Cinque-Ports*, with many others, to swear Fealty to Prince *Edward*, his Eldest Son.

The K. causes
the Citizens of
London to
swear Fealty
to Pr. Edward.

[1]
Id. ib.
Llewellyn, Pr.
of *Wales* dies,
and *David* his
Son succeeds,
who does Ho-
mage to the
King for that
Principality.

[1] *Llewellyn* Prince of *North-Wales* died this Year in April, after a long Reign of Fifty six Years, Prince *David* his Eldest Legitimate Son succeeded him, who on the Fourteenth of May following performed to King *Henry* his Homage for that Principality, and the Lands which King *Henry's* Barons held there; and then both the King and Prince submitted themselves as to all Disputes and Differences between them, to the Arbitrement of Cardinal *Otto* the Pope's Legate, and the Bishops of *Norwich* and *Worcester*, with the Earl of *Cornwall*, and *John de Monmouth* on the King's Part; and on Prince *David's* Part were appointed the Bishop of *St. Asaph*, *Idemvet Vaghan*,

Vaghen, and *Eyngham Vaghen*, and both Parties bound themselves by Oath, that they would submit to the Jurisdiction and Sentence of the Legate, so long as he staid in England, to compel either Party by Ecclesiastical Censure, who should not observe the Articles of the said Arbitration, or who should refuse to make such Amends for any Transgressions against them, as he should Award. Then they submitted themselves to the Jurisdiction and Coercion of the Archbishop of *Canterbury*, and his Successors, and farther by this Peace, all the Homages of the Barons of *Wales* were to be performed to the King, and all Burnings, Slaughters, and other Mischiefs done on both parts were to be remitted.

This Agreement is not to be found in any of our Printed Authors, but is upon [a] Record in the *Tower*.

[2] About that time the Archbishops, Bishops, Abbots, and some of the Great Men of England met at *Reading*, to hear from the Legate what the Pope's demands were. When they were assembled together, and Silence was made, the Legate declared the Pope's Care and Charge in securing the Peace of the Church against the Assaults of the Emperor *Frederick*, wherefore for that and his Holiness's Support, he required on Fifth Part of all their Goods. The King had before given his consent to it, affirming, He neither would nor durst oppose the Pope; but the Bishops looked upon this as an insupportable Burthen, and that it highly concerned the English Church, wherefore they desired time to deliberate upon an Affair of so great Importance.

[4] After some consideration, the Archbishop of *Canterbury* consented to pay the Fifth Part of his Reats, which amounted to Eight hundred Marks, and the rest of the Prelates of England followed his Example.

[5] But some time after, when the Archbishop saw the Church of England was every day more and more oppressed, spoiled, and deprived of its Liberties, without any hopes of Remedy; and that the Eight hundred Marks he had given the Pope availed nothing; he not long after left England, and retired to the Abbey of *Pontigny* in France.

[6] Some time after the King sent Justice-Itinerant, through all the Counties of England, who under the pretence of correcting Enormities, and doing Justice, only gathered a great Sum of Money for the King and the Pope's Legate's Use, who now remitted over to him a vast Sum of Money, by one of his Clergy, and thus the King and the Pope shared all the Riches of the Kingdom between them.

[7] But to add somewhat more concerning the Papal Oppression, This Year the Pope sent his Precepts or Brevets, directed to the Archbishop of *Canterbury*, and to the Bishops of *Lincoln* and *Salisbury*, commanding them to prefer no less than Three hundred *Roman* or *Italian* to the first vacant Benefices in England, and not to collate any Others, till they were all sufficiently provided. And the Pope had also lately sent into England one *Peter Ruben* to be his Collector, who went about to the Chapters of Religious Houses, and of some he gained a Promise to pay so much Money for uses not mentioned, but only as such a Bishop, or such an Abbot, had engaged

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The K. and new Prince submit themselves to the Arbitrament of the Pope's Legate, concerning all Differences between them

[2]

Ret. Claus.

24 H.3. M.4.

Durf.

Vid. Dr. B's

Ap. N. 163.

[3]

M. p. 526.

An Assembly

of the Bishops

and Great

Men of *Read-*

ing, where the

Legate de-

mands a Fifth

Part of all

Goods.

[4]

Id. p. 527.

The last the Bps

consent to pay

it.

[5]

Id. p. 532.

The A.B. be-

ing tired out;

leaves England.

[6]

Id. p. 533.

The King sent

Justice-Itine-

rant all over

England, to

seize the Peo-

ple.

[7]

Id. p. 533.

The Pope's

Precepts

directed to

the Archbishops

of *Lincoln* and*Salisbury*,

commanding

them to prefer

no less than

Three hundred

Roman or*Italian* to the

first vacant

Benefices in

England, and

not to collate

any Others,

till they were

all sufficiently

provided.

And the

Pope had also

lately sent into

England one

Peter Ruben

to be his

Collector, who

went about to

the Chapters of

Religious Houses,

and of some he

gained a Promise

to pay so much

Money for uses

not mentioned,

but only as such

a Bishop, or

such an Abbot,

had engaged

Anno Dom.
MCCXI.

Two Abbots
represent this
Grievance to
the King, who
receives them
with Frowns
and leaves
them to the
Legate to do
what he pleas-
ed with them

[4] Id. p. 334.
The Bps. are
also tried, but
they cunningly
put it off.

[5] Id. p. 335.
The Rectors
of Churches
in Berkshire,
are also tam-
per'd with,
who refuse to
consent, and
give divers
notable Res-
ponses against it.

[1] Id. p. 336.
The Legate's
Policy to gain
his Ends.

[2] Id. ib.
The Earl-
Mareschal is
reconciled to
the King.

[3] Id. p. 336.
Richard Earl
of Cornwall goes
on Pilgrimage
to the Holy-
Land.

engaged to do before, and then urged their Examples to Others, whereby many were seduced and cheated of their Money: But when the Abbots were sensible of this detestable Practice, two of them, namely the Abbots of *St. Edmunds*, and *Banke Abbey* went to the King, and made known their Grievance to him, urging, That if such Exactions were suffer'd, the Baronies they held of him would not answer the Services that were due to his Crown; and therefore they humbly besought him for Remedy and Redress; But the King received them with Frowns, and told the Legate, (who was then present) that he might do what he pleased with them; adding, That he would lend him one of his Castles to imprison them; upon this some yielded to the fore-mentioned Exactions; but others refused to bring themselves under such a detestable Servitude.

[4] Thereupon the Legate with *Peter Bilew*, met the Bishops at *Northampton*; but they being warned by the late Example of the Abbots, they could get no positive Answer from them, but only several Exceptions against those Contributions, too long here to insert. Then he summoned the Rectors of the Churches in *Berkshire* to attend him and his Accomplices, and endeavoured both by Promises and Threats, either to allure or affright them into a Compliance; [5] But they resolutely stood it out, affirming, They ought not to contribute any thing against the Emperour, because he neither was Convicted nor Condemned by the Judgment of the Church, nor yet had possessed himself of the Patrimony of *St. Peter*: They also farther urged, That as the Roman Church had its own Patrimony, so other Churches had theirs also, by the Grants and Beneficence of Kings, Princes, and other Great Men, no way Tributary to the Church of Rome. And likewise, That although the Care of the Church belonged to the Pope, yet the Dominion and Property did not. Again, That their Revenues were so small, that they could scarce supply them with Necessaries; therefore they ought not to be compelled to any such Contribution.

[1] When the Legate and his Partisans saw the great Unanimity and Firmness of the Clergy to each other, they endeavoured to divide them, and so went to the King, and soon inclin'd him to favour the Pope's Cause. Then his Instruments tamper'd with divers Bishops and Archdeacons, some of whom they gained by Promises of Preferments and Rewards, by which means the Unanimity and Firmness of the Body of the Clergy was broken.

[2] This Year also [3] *Gilbert* the Earl-Mareschal was, through the powerful Intercession of *Richard* Earl of Cornwall, reconciled to the King, and *Maurice*, Justiciary of *Ireland*, came to *London*, and by the King's means the Earl-Mareschal and he were made Friends; and all the Faults of *Earl Richard* were pass'd by; [4] And soon after this *Richard* Earl of Cornwall, having the Year before taken upon him the Cross, began his Pilgrimage to the Holy Land, and having recommended his Son *Henry* to the King his Brother's Care, took Shipping at *Dover*; not long after, *William Longespee* Earl of *Salisbury*, with several other English Noblemen followed him: And soon after this *Simon Norman* the Chancellor, and the King's chief favourite, and the Legate's close Friend, was removed from the

Chan-

Chancellorship, and all his other Preferments, except the Arch-
deaconary of *Notwich*.

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This Year likewise *Edmund A.B. of Canterbury* died of Grief in
France; a Pious and Constant Prelate, [4] who did whatever he
could by his Letters to make the Pope sensible of the Oppression the
English Church then lay under, by reason of the King's keeping the
Bishop's Sees so long vacant, purely for his own Advantage; as
also his interposing by Letters and Menaces, to hinder the due
Elections of Bishops and Abbots: but Pope *Gregory* was so far
from contributing to have these Abuses redress'd, that he rather
join'd with the King in promoting them; saying, That it was con-
trary to the King's Prerogative to restrain him; so that all the Arch-
bishop's pious Intentions came to nothing: and this made the King
hereafter more bold to impose the Election of *Boniface*, his Wife's
Uncle, upon the Monks of *Canterbury*, contrary to the Liberties of that
Church: But as for this Archbishop, he was not long after Cano-
nized a Saint by the Council of *Lyons*.

The Death of
Edmund A.B.
of Canterbury;
His Character.

[4]
Id. p. 545.

[5] But before I conclude this Year, I cannot omit some other
Passages, which though of less Moment, yet deserve our notice:
Among which, is the Arrival of *Thomas Earl of Flanders* in *England*,
with a great Retinue, being received by the King himself, attended
by the Citizens of *London* in great State; whither as soon as he came,
he was presented with Five hundred Marks in New-Coined Sterling
Money, and had a Pension of as much more granted him, to be
Yearly paid out of the *Exchequer*, in lieu of the Homage which he
then paid the King for it; so having received divers rich Presents
from him, he, after some time, took his Leave, and return'd into
his own Country. From whence we may observe, how easie King
Henry was to part with so much ready Money for a mere Ceremony;
and besides, this shews us, that Homage was paid in those Days by one
Prince to another, not only for Lands and Territories, but for Pen-
sions in Money too.

[5]
Id. p. 829.

Thomas Earl of
Flanders ar-
rives in Eng-
land, and is
Nobly presen-
ted by the K.

[1] This Year also, the *Jews of Notwich* privately stole away, and
Circumcised a *Christian Child*, intending to Crucifie him before
Easter; but the Boy being missed by his Parents, and upon search
found in a certain *Jew's House*, all the Men of that Religion in the
City were presently seized; and Four of them being convicted of
this Crime, were drawn at Horse-Tails, and then hanged upon
Gibbets. This is the Second Offence of this Kind which we find
recorded by our [2] Author, to have been committed by the *Jews*
of this Place in five Years time; and if so, it declares their horrid
Cruelty to, as well as Hatred for the *Christian Religion*.

[1]
Id. p. 532.

The Jews of
Notwich Cir-
cumcise a
Boy, and in-
tend to Cru-
cifie him.

For which
Four of them
are Executed.

[2]
Id. p. 409.
Sub Anno 1235

[3] This Year King *Henry* kept his *Christmas* at *Westminster*, being at-
tended by many of the Great Men, where he Knighted the
Legate's Nephew, and another, a *Provincial*, and gave them
plentiful Estates in Land; and four days after, the Legate received
Letters from the Pope, commanding him without any more delay
to come to *Rome*: Then having taken his solemn Leave of the King,
with many Sighs and Embraces, they parted, and he taking Ship-
ping at *Dover* the Day after *Epiphany*, left *England*; [4] No Man but
the King lamenting his Departure; for he had so pillaged the Clergy,
that (setting aside the Holy Vessels and Ornaments of their Churches)

Anno Dom.
MCCXLI.

[3]
Id. p. 564.

The King
Knights the
Legates
Nephew, and
another Fo-
reigner, and
gives them
good Estates.

[4]
Id. p. 549.

Anno Dom. he left them not so much, as he had Extorted from them; besides
MCCXLI Three hundred rich Benefices and Prebendaries that were appropri-
 ated to the Pope's Creatures, kept for his own Use.

[5] Also about this time, *Peter Earl of Savoy*, the Queen's Uncle,
 (on whom the King had before conferr'd the Earldom of *Richmond*)
Id. p. 550. arrived here in *England*, and had very great Donatives bestowed
 The Earl of
Savoy arrives
 in *England*. upon him: Some time after, the *Jews* were Fined, and forced to
 pay the King Twenty thousand Marks, upon pain of being Banished,
 or perpetually Imprisoned.

[1] At this time (says *Matt. Paris*) by the procurement or per-
 mission of Pope *Gregory*, the insatiable Avarice of the *Roman Church*,
Id. p. 554. so much increased, that confounding Right and Wrong, and
 The Author's
 Account of
 the insatiable
 Avarice of
 the *Roman*
 Church. laying aside all shame, like a common Strumpet that receives all
 Comers, she counted *Usury* but a small Fault, and *Simony* as none
 at all: So that she infected other Countries with her Contagion, and
England amongst the rest, of which though he says he could shew
 many Examples, yet thought fit only to afford us this single Rela-
 tion, That the Pope had wrote to the Abbot and Convent of *Peter-
 burgh*, commanding them to grant him one of their best Parlo-
 nages of the Yearly Rent of a Hundred Marks, (yet if it were dou-
 ble that value it would please him so much the better) and he
 would Rent it out to them again at a Hundred Marks by the Year,
 and the residue should be their own; he likewise wrote to several
Italians that were Beneficed in *England*, to sollicite and further it
 by their Admonitions, if not, to compell them to a Compliance with
 his Desires; But the Monks answered, They could do nothing with-
 out the King's Consent, who was their Patron and Founder, and
 that also their Abbot was now absent; thereupon the *Italian Clerks*
 who came over into *England*, going to *Peterburgh*, were very instant
 with them to do it, though without either the Privy of the King
 or their Abbot; but this the Monks utterly refused, yet desired
 they might not be pressed for an Answer till their Abbot came home,
 whom, in the mean time, they acquainted with the whole Business:

The Monks
 refuse to com-
 ply.

[2] Whereupon he presently sent *William de Burgh* his Chaplain, to
Id. p. 555. the King, to let him know how dangerous the Consequence of such
 a Matter might prove. When the King was made sensible of the De-
 triment the Church would hereby sustain, and detesting the Cove-
 tousness of the Court of *Rome*, he strictly prohibited them from pro-
 ceeding any further in such enormous Attempts: But this is the first
 Example of the King's Courage, in refusing the Pope's Unreasona-
 ble Demands.

[3] In April following, the Monks of *Canterbury*, through the
Id. ib. Contrivance and great Industry used by the King in that Affair,
 Elected *Boniface* of *Savoy*, (a Graceful Person, yet whose Learning
 and Parts were wholly unknown to them) Archbishop of that
 Place, who was approved of and confirmed both by the King and
 the Pope.

[4] This Year, on the Seven and Twentieth of June, *Gilbert*
Id. p. 565. Earl-Mareschal was kill'd by the Unruliness of his Horse, whole
 Gilbert Earl-
 Mareschal
 killed at a
 Tournament
 by his Horse. Reins breaking in a Tourneament at *Hertford*, he was flung down,
 and his Foot being engaged in the Stirrup, caused him to be almost
 kick'd to Death; and at the same time *Robert Say* one of his Knights

was likewise slain, and divers Esquires wounded and hurt: yet could not these unfortunate Accidents make the Noblemen quit this rough and dangerous Recreation, notwithstanding they had the Pope's Inhibitions, and the King's Commands to the contrary.

[5] *Otto*, the Pope's Legate, had, at his departure, left behind him, *Peter Rubens*, and *Peter de Supine*, armed with the Pope's Bull, by which they had Power to collect *Procurations*, to *Excommunicate*, *Interdict*, and by several ways to extort Money from the *English* Church; by which Authority this *Peter* carried himself as if he had been a Legate, and wrote to divers Abbots in a Commanding manner to make them contribute under the name of *Procurations*; and in the mean time *Peter de Supine* went by the King's permission into *Ireland*, carrying the Pope's Bull, where with great severity he exacted the like unreasonable Payments, and then return'd back into *England* in Autumn, bringing over no less than Fifteen hundred Marks from that Poor Kingdom.

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[5]
Id. p. 556.
Peter Rubens,
and *Peter de*
Supine, are left
by the Pope's
Legate to ex-
tort Money
from the
Clergy.

[1] As for Civil Affairs, this year affords little, only that *Griffin*, the Base Son of *Llewellyn* Prince of *Wales*, was treacherously imprison'd, by his half Brother *David*, who would not be persuaded to release him: Upon this *Richard* Bishop of *Bangor* first *Excommunicated* him, and then applied himself to King *Henry* for farther Remedy; whereupon he sent to *David*, and severely blamed him for his Treachery and Unkindness to his Brother, and commanded him to give him his Liberty; To whom *David* return'd a Malepart Answer, affirming, That *Wales* would never enjoy Peace, if he were set free: [2] But when *Griffin* understood this, he sent privately to King *Henry* to let him know, That if he would procure him his Liberty, he would become his Vassal, and pay him Two hundred Marks a year for his Land, and Swear Fealty to him, and would also assist him in subduing the *Rebellious Welsh*: At the same time also *Griffin* the Son of *Madoc*, a most Potent Man among the *Welsh*, promised the King his utmost Assistance, if he would but enter *Wales* with a good Force.

[1]
Id. p. 569.
Griffin is trea-
cherously
dealt with by
his Brother
Prince *David*,
who is there-
fore *Excom-*
municated by
the Bishop of
Bangor.

[2]
Id. p. 570.
Griffin, to ob-
tain his Li-
berty, pro-
mises to be-
come the K's
Vassal.

[3]
Id. lb.

The King ac-
cepts the of-
fer, and pre-
pares to march
into *Wales*.

David fright-
ed with this
News, makes
an Agreement
with the King,
and delivers
up his Bro-
ther to him.
He is impri-
son'd in the
Tower.

David does
his Homage
to the King;
and returns
home.

A more exact
Account of
the *Welsh*
Transactions
from the *Tower*
Records.
Id. p. 576.

[3] The King having such an Advantageous Offer made him, joyfully accepted it, and summoned all who owed him Military Service to meet him at *Gloucester* with Horse and Arms at the beginning of Autumn, and from thence with a great Army, he marched towards *Chester*, which so affrighted Prince *David*, that he presently capitulated, and instead of setting his Brother free, delivered him up to the King; But the Poor Man's Condition was not at all the better for it, because he was immediately sent Prisoner to *London*, with several Noblemen of *Wales*, that were Hostages for Prince *David*, under the Conduct of *John de Lexington*, to be secured in the *Tower*: Then about Eight days after *Michaelmas* Prince *David* came to *London*, and having done his Homage, taken an Oath of Fealty, and given Security to the King to observe the Peace, he was dismissed, and so returned home in safety: These things were done between the Eighth of *September*, and *Michaelmas* following.

But since we may receive a great deal of light, as to the History of these *Welsh* Transactions, from the *Tower* Records, I shall give you an Abstract of them from Dr. *Brady's History* and *Appendix*, where

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* Cart. 25 H. 3.
M. 3. Dorf.
vid. Dr. B.'s
Ap. N. 167.

where it appears by a Charter of this year, * That some time before Prince *David* had thus delivered into the King's hands his Brother *Griffin*, *Senana* his Wife complain'd to him, that Prince *David* had Imprison'd her Husband, with his Son *Owen*, for whose Release she, in the Name of her said Husband, offer'd the King Six hundred Marks, provided that he by the Judgment of his Court, and according to the Law of *Wales*, would put him in Possession of that part of his Father's Inheritance, which he ought to enjoy, and which *David* by Force then with-held from him; At the same time also she undertook, that her Husband his Heirs should pay to the King and his Heirs Three hundred Marks per Annum, viz. one Third part in Money, another Third part in Oxen and Cows, and the last Third part in Horses, at *Shrewsbury*, to be deliver'd to the Sheriff of *Shropshire*: She also Engaged for her Husband, That if at any time any *Welshman* rebell'd against the King or his Heirs, he should at his own Cost compel him to give Satisfaction; and for the Performance of all this, in the Name of her Husband *Griffin*, she offer'd the King as Pledges, or Sureties, *Ralph Mortimer*, *Walter de Clifford*, *Roger de Montealt*, Steward of *Chester*, with several other Noblemen, her Friends.

* Vid. Dr. B.'s
Ap. N. 168.

* H. N. 169.

* Then follow the several Instruments or Charts of those Noblemen to the King, That what *Senana* had propos'd should be truly perform'd; † After these, are set down the several Charts of *Mereduc ap Howel*, *Owen ap Howel*, and those Noblemen of *Wales* that favour'd *Griffin's* Cause, which also Testifie, That they had Sworn Fealty to King *Henry*, and would faithfully serve him with all their might during their Lives whenever he wanted their Assistance; with some other Articles needless to be here recited: And for the Observation of these things, they put themselves under the Jurisdiction of the Bishops of *Hereford* and *Coventry*, whom the King had appointed to Excommunicate their Persons and Interdict their Lands, if they did any thing contrary to this Agreement; which bears Date *August* the Sixteenth.

Yet notwithstanding, all these fair Proposals and Articles came to nothing, for Prince *David* out-bid his Brother *Griffin*, and instead of setting him free, (as he ought to have done) deliver'd him up to the King (as you have heard) who kept him Prisoner, till he broke his Neck by a fall, in endeavouring to make his Escape out of the *Tower*, as you will find hereafter.

* Cart. 25 H. 3.
M. 3. Dr. B.'s
Ap. N. 164.
The King had
summon'd
Pr. *David* to
appear before
him at *Worcester*.

The same * Roll also gives us a more exact Account of some other former Proceedings with this Prince *David*, than what we find in our Historians; for it there likewise appears, that the King had the *February* before summon'd *David* Prince of *North-Wales* to appear before him at *Worcester*, to appoint Arbitrators in the room of such as were named in the Instrument of Peace made between them the year before, (and who were then beyond Sea) that they might do Justice according to that Form. It thereby farther appears, that *David* came not, but sent Three Messengers to the King, but indeed without sufficient Power to do what was required; and therefore the King by a Letter, dated the Nineteenth of *February*, commanded him by virtue of his Allegiance (all Excuses laid aside) Personally to appear at *Shrewsbury* a week before *Palm-Sunday*, before

fore such Commissioners as he should send thither to Transact that Anno Dom. MCCCXII. Affair; and a day in the last week in April was assigned for him and the Lords Marchers to appoint Arbitrators in the Place of those beyond Sea, who were to do and receive Justice according to the Form of Peace agreed on between the King and him.

And we farther find by another * Record of this very year, that Prince David in obedience to the King's Letters, sent Thudy his Steward, and David his Chancellour, and Philip ap Ivor, as his Procurators or Commissioners, with full Power to do what was so desired; and that Ralph Mortimer, Roger Steward of Chester, and others for themselves, and the rest of the Lords Marchers, appear'd, and desired that Justice might presently be done according to the Proofs and Allegations of Witnesses at Shrewsbury, before Stephen de Segrave, and his Fellow Judges, who were sent thither for the King; where, after Two days Debate, instead of Otto the Legate, (who was at first appointed, but was gone away) the Bishops of Worcester, Norwich and Coventry, John Fitz-Geoffrey, Hubert Fitz-Matthew, and Walter de Clifford, were chosen (in his stead) Arbitrators, and another day was then set, a month after Whitsunday, at Manesford-bridge beyond Shrewsbury, to hear what Proof could be made out concerning the Injuries done on either side; on which day the Matter being fully heard, another day was appointed for Judgment to be given by the Arbitrators, according to the Proofs before them.

And it also appears by another * Letter of the King's to Prince David, bearing Date from Merlbridge the Fifteenth of July; and which is also upon † Record, that not long after this the King was inform'd, That David, contrary to his Oath lately taken, had confederated with, and drawn off the Sons of Madoc, and certain of the King's Subjects in Kerry, and had received them into his Country; and that he had begun to commit Burnings and Slaughters in the Lands of Ralph Mortimer, and others the King's Feudatories; and also had by Force seized the Lands of Owen Vaughan, and his Nephews, against all Right and Justice, and which had been adjudged to them in the King's Court; That he had caused a Ship belonging to Chester to be stayed in his Country laden with Wheat and other Victuals, making no Satisfaction to those that own'd the Goods; That when the King sent his Commissioners to Shrewsbury, David, in Contempt, neither came, nor sent any Procurators to meet them; wherefore he admonish'd him, that he should not fail to acquaint him before the First of August, what Satisfaction he would make for these Outrages committed by his Orders.

[4] Whereupon on the Nineteenth of the same month, Prince David despairing to succeed by Force, sealed his Charter of Submission to the King, which is found at large in Matt. Paris, and is also upon * Record in the Tower, to this effect:

First, That he would deliver his Brother Griffin, or Gruffith, and his Son, to the King.
Secondly, That he would stand to the Judgment of the King's Court, whether Griffin ought to be kept Prisoner, or not; and also for the Portion of his Father's Inheritance, which he claimed according

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* Rot. Cl. 25 H. 3. M. 8. Dors. Dr. B's App. N. 165. New Arbitrators chosen between the King and Pr. David.

* Rot. Cl. 25 H. 3. M. 7. Dors. † Dr. B's App. N. 166. The King had notice of a Confederacy by Pr. David against him.

[4] Id. P. 570. Prince David Seals a Charter of Submission to the King, with the Articles therein contained.

25 H. 3. M. 1. Dors.

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According to the Custom of *Wales*, and was to hold of the King in Capite.

Thirdly, That he would restore to *Roger de Monte-Alt*, Steward of *Chester*, his Lands of *Montalt*, (or, as it is now commonly called *Mould*;) with its Appurtenances.

Fourthly, That he would restore to the other Barons Marchers all such Lands, Lordships, and Castles, as had been taken from them, since the beginning of the Wars between King *John* and his Father *Llewellyn*, Prince of *Wales*.

Fifthly, That he would defray all the Charges of King *Henry* in the last Expedition against him.

Sixthly, That he would make Satisfaction for all the Injuries done by him, or his, unto the King or his People; and also that he would restore unto him all the Homages which King *John* had, or which he ought to have, especially of the Noblemen of *Wales*.

Seventhly, The Land of *Ellesmer*, with the Appurtenances, was to remain to the King for ever.

Eighthly, That *David* would not receive any of the King's Subjects within his Country of *Wales*, that were Outlaw'd or Banished.

Ninthly, And that for the Performances of this, he would give Pledges and Security according to the King's Will and Pleasure, and obey all his Commands, and stand to the Law in his Court.

* 5 H. 3. M. 2.
Dors. vid.
Dr. B.'s App.
N. 171.
He seals another Charter, wherein he engaged, that he and his Heirs would faithfully serve the King, &c.

After this, on the Thirty first of *August*, he Seal'd another Charter to the King, (extant on *Record) freely and willingly; whereby he engaged, that he and his Heirs should faithfully serve the King and his Heirs, and assist him all the days of their Lives; and if at any time they should act contrary to that Engagement, then all his Lands and Territories should be forfeited to the King, for him and his Heirs to enjoy them for ever; and for the farther Confirmation of this Agreement, he caused the Bishops of *Bangor*, and *St. Asaph*, to put their Seals, as Witnesses, to this Charter.

I have been the more particular in these Transactions, not only because I find them mention'd by none besides *Dr. Brady*, but also to shew the infidelity of these *Welshmen*, who having begun a fresh and needless War against King *Henry*, Three years after fled to the Pope for Protection, as the Reader will find anon. But to return to our *English* Affairs.

[5] About this time *Walter the Marechal*, next Brother to *Gilbert* late deceased, applied himself to the King, to be invested in his Office and Inheritance; but the King in a great Heat and Passion denied him both, urging against him the Treasons and Disobedience of his Brother, as also his own Undutifulness in being at the Torneament at *Hartford*, contrary to his Commands; but at length through the Intercession of the Queen, the Bishop of *Durham* and other Noblemen, he was prevailed with, the Sunday before *All-Saints*, to restore him to the Honour, Office and Estate of his Brother, and to invest him with his Earldom and *Mareschal*se, reserving only to the Crown Two Castles in *Wales*, *Kaermarden* and *Cardigan*, which the King Garrisoned to secure his new Acquisitions there.

M. P. p. 572.
Walter, Brother to the late *Mareschal*, is at first refused by the King to be invested in his Earldom, and Office, but is afterwards prevailed upon to grant him them.

[1] I

[1] I shall conclude this year with an Account of Forreign Affairs; *Richard* Earl of *Cornwal*, and Titular Earl of *Poitou*, being now in the *Holy Land*, *Lewis* King of *France* on *Midsummer-day*, knighted his Brother *Alphonso*, and invested him with the Title, and Earldom of *Poitou*; most part of which that King now enjoyed by the Conquest of King *Philip* his Grandfather: at this Affront, offer'd to himself as well as his Brother *Richard*, King *Henry* was highly incens'd, but it seems to no purpose.

[2] This year also *Tin Mines* were first discovered in *Germany*, both finer and more plentiful than those in *England*, which Metall before was no where to be found but in *Cornwal*; by which Discovery the Price of *Tin* was very much lessened abroad.

[3] The same year deceased Two Ladies of the Blood Royal of *England*; First, *Isabella*, Empress of *Germany*, the King's Eldest Sister, who died in Child-bed, to the great Grief of the Emperor her Husband; [3] The other was *Eleanor*, Daughter of *Geoffrey* Earl of *Brittaine*, and Sister to Duke *Arthur*; who having been kept Prisoner many years, now deceased in the Castle of *Bristol* without ever being Married; She is said to have been a Lady of a high Spirit, and who insisted upon her Right to the last; but tho King *Henry* might obtain by her death a more indisputable Title to the Crown, than he had before, yet I do not find that the King of *France*, or any other Forreign Prince, ever espoused her Interest, or made any scruple to acknowledge *Henry* as Lawful King all her Life-time.

[4] As for Ecclesiastical Affairs, Pope *Gregory* dying about the end of *August* this year, for Grief (as was supposed) that he could not subdue the Emperor *Frederic*; Immediately upon this Pope's decease, there happened a great Division among the Cardinals at *Rome* about the Election of a new Pope, Five of them chusing *Geoffrey* Archbishop of *Milan*, (whose Election the Emperor congratulated) and the other Three Cardinals chusing *Romanus*, (late Legate in *France*) which produced a great Schism in the *Roman Church*, no Pope being Lawfully chosen till the year following.

[5] Not long after the death of the Pope, the Emperor dispatched a Messenger to give King *Henry* the first notice of it, that so he might seize the Money the Pope's Collectors had gathered in *England* for his Holiness's Use; but they were too quick for him, and escaped into *France* with all their Prey; yet afterwards being met with by the Emperor's Servants somewhere in his Dominions, they were taken and imprisoned, and all their Treasure paid into the Imperial Exchequer.

[1] This year King *Henry* kept his *Christmas* at *Westminster*, where *Peter* of *Savoy*, Earl of *Richmond*, being now resolved to return home, resigned up into the King's Hands all those Castles which were committed to his custody, lest his sudden Advancement should displease the Great Men of *England*; but before he had taken Shipping, he was remanded by the King, and perswaded, (tho seemingly against his will) to accept the Government of *Dover Castle*.

[2] But

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[1]

Id. p. 479.

A War be-

gun in France

by the Earl of

Marche, (King

Henry's Father

in Law) and

on what oc-

caſion.

He applies

himſelf to the

King for Pro-

tection, offer-

ing to help

him to recover

his loſt Do-

minions.

The King

thereupon

calls a Parlia-

ment at Lon-

don.

Id. 16.

The Earl of

Cornwall re-

turns home

from the Holy

Land.

[3]

Id. p. 580, 581.

The Parlia-

ment being

met, diſſwade

the King from

engaging in a

War againſt

France, and

their Reaſons

for it.

The King not

being able to

prevail with

the whole Bo-

dy of the No-

bility, diſ-

courſes with

them apart,

but to little

purpoſe.

They giving

him very re-

ſolute An-

ſwers.

[2] But the chief Affair of this year was, That *Hugh* Earl of *Marche* (a Principal Nobleman of *Picardy*, and who had Married *King Henry's* Mother) having through the Pride of that Princeſs, reſuſed to do Homage to *Alphonſo*, Brother to the French King, now Earl of that Province, *Hugh* thereupon applied himſelf to the King of *England*, his Son in Law, for Protection, perſwading him, That by the help of the *Poitevins* and *Gaſceigns*, with the Aſſiſtance of the King of *Aragon* and Earl of *Tholouſe*, he might eaſily recover thoſe Dominions he had loſt; Whereupon the King giving credit to theſe Pretences, wrote to all the Great Men of *England*, viz. Archbiſhops, Biſhops, Abbots, Priors, Earls, and Barons, ſtreightly Commanding, That they ſhould all meet at *London* on *Tueſday* before *Candlemaſs-day*, to Treat of ſuch difficult Matters, as would not bear any delay.

In the mean time, viz. the day after *Epiphany*, *Richard* Earl of *Cornwall*, the King's Brother, landed at *Dover* from his Pilgrimage to the *Holy Land*, where he had made an Honourable Truce with the Sultan of *Babylon*, and was received by the King, Queen, and Nobility, with all the Demonſtrations of Joy and Affection imaginable. Upon his return to Court, the *Poitevins* endeavour'd all they could to incline him to a War with *France*, for the Recovery of *Picardy*, which was to be his when regained, who thereupon confirmed the King in his Reſolution to attempt it.

[3] At the day appointed all the Nobility of *England*, as well Prelates as Earls and Barons, met at *London*, according to their Summons; but when they were aſſembled, and underſtood that the Earl of *Marche* had engaged the King in a War againſt *France*, they reſolved to oppoſe both him and the *Poitevins* who adviſed it, adding, They had been taxed and pill'd, as the meanest Slaves, and what had been thus extorted from them, was unprofitably ſpent; and therefore they would not conſent that any more Money ſhould be granted to be ſo vainly waſted and thrown away. When the King ſaw he could not prevail with the whole Body, he would needs try what he could do with them ſeverally, and therefore ſent for them one by one, urging, that ſuch an one had promiſed ſo much, and another the like; but this Stratagem only took with a few, and proved ineffectual as to the Majority; Then he attempted thoſe Great Men, which were his Favourites and Domeſticks, urging, That they were Military Men, and ought to be very deſirous to have the ancient Rights of the Kingdom recovered, and the Injuries done to it vindicated by force of Arms, therefore he wondred with what confidence they could oppoſe and deſert him, when he had Promiſed and Sworn to proſecute what he had undertaken; but they alſo answered, That great Sums of Money had been granted already, and the Profits of the Crown had been very extraordinary, yet all this Treasuſe was waſted and gone, and the Kingdom nothing advantaged by it; Moreover they very much wondered, he would undertake ſo hazardous a War, without ever conſulting his Natural Subjects; and that the Truce between Him and *France*, was not as yet expired, which both Kings had Sworn inviolably to obſerve: beſides, thoſe Noblemen that adviſed him to this War, were the King of *France's* Subjects, and the King might expect but little Faith from ſuch who had proved

proved *Themselves* to their Natural Prince, adding withal the unsuccessful Attempts that his Predecessors had made in this nature, when the King heard all their Answers, He was much displeased, and in a great Passion swore, That their Words should neither frighten him from prosecuting what he had designed, but that after Easter he would pass over Sea, and try the Fortune of a Barrel: And so the Parliament was dissolved.

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At which the King is highly displeased, and falls into a great Passion.

[4] This is our Author's Account of this Colloquium, or Parliament, wherein he mentions much harsh Language given unto the King by the Great Men, even unto his face: Upon which Passage [5] Dr. Brady observes, That in the Relation which immediately follows this, and which (this Author says) was written as a perpetual Memorial of the Barons Answer to the King, it appears they never spoke, nor had any personal Conference with him, but only heard his Pleasure, and the Business he had with them, from his Commissioners or Messengers, viz. Walter Archbishop of York, Richard Earl of Cornwall, and Walter Provost of Beverley, by whom upon mature Deliberation, They advised the King rather to send to his Cousin of France for Satisfaction, if he had done anything contrary to the Articles of the Truce between them, and not to declare War until the Time thereof were expired, but if he had done any Injury that could be proved, and that then he denied Restitution, they would assist him according to their Abilities: Then they reckoned up the many Aids they had given him, and remembered especially the last of a *Thirtieth Part* of their Moveables, which was by stipulation to have been expended by the Advice and Oversight of Four Barons, for the Benefit of the King and Kingdom: And seeing they had never heard that any of it was expended by their Advice, they believed the King had all that Money by him, which he might now make use of: And farther minded him, That by keeping so many Bishopricks vacant in his hands, as also by the Exactions of the Lands of Earls, Barons, and Knights, by Fines and Amercements which his itinerant Justices had set upon Counties, Hundreds, Cities, Burghs and Towns, he had of late raised great Sums of Money: inasmuch, that by such Exactions and other Aids already given, the People of the Kingdom were so impoverished, that they had scarce any thing left them to subsist upon: And since the King, after their giving the last *Thirtieth Part*, had never observed the *Great Charter*, yet had engaged by another Additional Charter, that such Exactions should never be brought into Consequence; they answered positively, That at present they would grant him no further Aid. But when the King's Commissioners asked them, What if the King of France should break the Truce before it expired? to pacifie them they then farther engaged, on the behalf of the King, That if he had injured any of the Great Men, he would make them Satisfaction according to the Judgment of Peter of Savoy and others of his Council. To the first the Barons answered, as they had done before, and to the Second, they said, That they heard the same things formerly, when they granted the *Thirtieth Part* of their Moveables, but whether they had been performed or not, they left that to the

[4]

[5] Compl. Hist. p. 582.

The Answer of the Barons in a Body more civil than what they spoke severally and a-part.

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Dr. Brady would make the Author inconsistent with himself without just cause.

King himself to consider. And for remained resolute in not granting him any Aid at all.

Here the Doctor farther remarks, That there is not one Word of any *Bellingsgate* Language or Reviling of the King, with which he says this Monk's Relations do very much abound. Thus the Doctor would fain make his Author (to whom he gives much Credit in other Matters) to contradict himself in this Relation. Yet I can see no Reason for such a Conclusion; for this Author was then living, and might very well write an Account of what passed between the King and Barons at their first Meeting, and before they were retired to consult in a Body, and to whom being so assembled he sent his Deputies above-mentioned, by whom they returned him this last solemn Answer, the former passing only by way of Discourse.

But if *Matt. Westminster* may be credited in this Affair, the King dis-
coursing with divers of the Prelates apart (using the Subtilty of the
Roman Legates) brought them at last to his Will, and got a good
round Sum of Money from them, which was in great part distribu-
ted to such Knights as wanted it to go over with him. This Au-
thor also further relates, That the King being still pressed by Mes-
sages from the Earl of *March*, and other Great Men of *France*, he
scraped together all the Money he could raise, bestowing the whole
Lent in this Employment, looking upon those who refused to as-
sist him, as his declared Enemies, and vexing them by his Officers
with many Oppressions; for the Earl of *March* had sent him word,
That he need only take care to provide Money, for as to Men
he would procure them.

Against *Elder* the King writ out his Summons to all those that owed him Military Service, to meet him at *Portsmouth*, not with Horse and Arms, according to the usual Tenure, (but in lieu of their Service) to bring each a good Sum of Money with them (which our Author says was more like a Banker than a General :) So the King having committed the Custody of the Kingdom to the Archbishop of *York*, and received into his Favour the Bishop of *Chichester*, formerly his Chancellor, and recalled *Ralph Fitz-Nicholas*, and *Godfrey Graucumb* to Court, took Shipping at *Portsmouth* with Queen *Eleanor*, Earl *Richard*, and Seven other Earls, and landed at *Gasconny* at the Mouth of the River *Garonne*, where they were received by *Reginald de Poivre*, and the Great Men of *Gasconny*: And in the mean while, for the better Security of his Affairs at Home, a Marriage was agreed upon between his Daughter *Margaret*, and *Alexander* Eldest Son to the King of *Scots*, and that part of the Kingdom which bordered upon *Scotland*, was thereupon committed to the care of that King, during the time King *Henry* should remain beyond Sea.

The French King sets out a small Fleet.

But let us see what was doing in the mean while in France: When King Henry's Designs were known to King Lewis, he presently equipped twenty four Gallies to hinder the English from landing at Rochel; and Peter Earl of Richmond and the Bishop of Hereford, being sent into Poitou to secure what Friends and Assistance they could among the People of that Province, they hardly escaped be-

ing taken by the French; therefore they returned into England, without effecting any thing considerable.

[2] The King of France was not idle all this while, but prepared a mighty Force, which consisted of Four thousand Knights completely Armed, and Two thousand Esquires, besides of Cross-bow-men and Common Soldiers as many more. The War was commenced by his seizing of the Goods and Persons of the Merchants both in England and France, that King first beginning it, to his great Dishonour, since it had not been practised in France till that time. Then King Lewis marched with his Army, and sat down before Fontenay, a strong Castle of the Earl of March's: During this Siege, the King of England sent Ralph Fitz-Nicholas and Nicholas de Mares to the King of France to declare War, unless he would agree to his Demands: The King received them civilly, letting them know, That he much wondered he could so openly break the Truce, that had been confirmed by their mutual Oaths to last for Three Years: Adding further, That he was so far from breaking the Truce, that he was willing it should be continued for Three Years longer, and would consent to deliver to their King the greatest part of Normandy and Poitou, provided he would not hinder him from revenging himself upon those Enemies and Traitors who only trusted to their King's Assistance; and admired that his Cousin of England should think he infringed the Truce in the least, when he endeavoured only to correct and repress the Influence of his own Rebellious Subjects; and yet admired that he should be so much wheedled by the Earls of March and Tholouse, and therefore thought that he had violated the Truce, in thus receiving and encouraging his Rebels and Enemies.

[3] With this Answer the Messengers returned to the King of England, who being over-persuaded by the crafty Poitevins against his own Interest, would by no means embrace those Honourable Proposals, but utterly refused to renew the Truce; and sent some Knights Hospitallers in his Name to defie the King of France, because he made War upon his Father-in-Law the Earl of March.

[4] When King Lewis found these so fair Overtures of Peace thus slighted, though he expressed his Sorrow that the King of England should be so drawn in by the Earls of March and Tholouse, yet shewed himself most concerned for the Oath his Father had made to King Henry, when he left England, of delivering up his Dominions in France. But one of his Great Men replied, That the Oath was Mutual, and the King of England had violated it on his part, when he broke his Promises to Lewis's Accomplices, and caused Constantine a Citizen of London to be hanged for defending your Father's Honour. This poor Pretence satisfied the King's Scruples for the present; and then he proceeded to make a vigorous Attack upon the Castle of Fontenay, which after Fifteen Days Siege, was gained by Assault, contrary to the Confidence of all the Poitevins, and the Earl of March's Son who kept it, who with all his Accomplices, being above Four hundred, were made Prisoners: But when some about the French King advised, that they might be executed for a Terror to other Rebels, he replied, The Son has obeyed his Father, and the rest the Command of their Lord, and upon that account

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MCCCLIII.

[2]

Id. ib.
And makes much greater Preparations by Land; with the Number of the French Army.

K. Henry sends Messengers to K. Lewis, who are kindly received. The Answer that was returned by them, was very advantageous for the King.

[3]

Id. p. 588.
Who is persuaded by the Poitevins not to accept of it.

[4]

Id. ib.
K. Lewis seems concerned for the Oath his Father had made to King Henry; and is satisfied by one of his Great Men. His Success against the Earl of March; takes his Son Prisoner, and refuses to put him to death.

Anno Dom. neither of them deserved Death; a wise and merciful Answer; and
 MCCXLII. worthy so pious a Prince: However he sent them Prisoners to Paris.

They are sent Prisoners to Paris.

This put the rest of the Defendants of the Earl of *Marche* his Castles into such terrour, that some of their own accord came in, and delivered up their Keys to the King of *France*; and others Capitulated upon his appearing before them: After which, That King took divers other Castles of the Earls, some by Force, and others by Surrender.

[5]

Id. p. 589.

The Earl of Marche, and the Poitevins repeat their having begun this War.

[5] These uninterrupted Successes made the Earl of *Marche*, and his *Poitevins* almost desperate, but they now began to repent they had ever engaged themselves against their Lord the King: in the mean time the King of *England* came before the City of *Tailliburg*, and Encamped in a Meadow over against it; but when the King of *France* heard of it, he marched with his Army towards that Place, and so soon as the Citizens had notice of his approach, they went out to meet him, and opened their Gates to him and his Army: The King of *England* seeing himself thus disappointed, and that he must now Fight the *French* with the few Men he had with him, he called to the Earl of *Marche*, and asked him, How he had performed his Promise of procuring Men enough to battle the *French*, if he supplied him with Money? The Earl replied, He never made any such Promise: Then Earl *Richard* produced the *Chancery* Agreement between them; which the other denied it was ever made or sealed by him, or that he had ever encouraged the Undertaking of this Expedition,

K. Henry being fail'd by them is much distressed.

[1]

Id. p. 590.

The Earl of Marche denies his Promise to the K. and lays the Fault on his Wife.

Earl Richard goes to the French Camp, and obtains a short Truce.

[1] but that it was the sole Contrivance of his Wife, the King's Mother: When he heard the Earl's reply, he was very much concern'd at it; but Earl *Richard* seeing the danger the King was in of being made a Prisoner, presently disarmed himself, and with a Truncheon in his Hand went to the *French* Camp, where he was kindly and honourably received; and being introduced to the King's Presence, he desired a short Truce, which the King granted for one Day and the Night following.

[1]

During which time the King and his Army came to Xaintes, and the whole Army followed him, though not without great hazard, and some loss.

*The next day the King of France decamped, and marched with his Army towards Xaintes in pursuit of King Henry; then after several Skirmishes, and some few days interval, both Armies met not far from Xaintes, where they had a sharp Engagement; and had the English equalled the French in number, they had gained the Victory, which the French Historians relate to have fallen to them: But the Number of those that were slain on either side is not mentioned; the Prisoners that were taken were exchanged; and those that behaved themselves with most Courage and Resolution in this Battle, were Simon Montfort Earl of *Leicester*, the Earl of *Salisbury*, Roger Bigod Earl of *Norfolk*, John de Burgh, Warin de *Mantcheny*, with divers others.*

A sharp Engagement between the English and French.

So soon as the Earl had obtained this, he return'd to King Henry, and advised him to make his Escape with as much speed as he could, otherwise he would be taken Prisoner: Thereupon the King following his Counsel, took Horse that Night, and never stopped till he came to *Xaintes*; and the whole Army followed him, though not without great hazard, and some loss. The next day the King of *France* decamped, and marched with his Army towards *Xaintes* in pursuit of King Henry; then after several Skirmishes, and some few days interval, both Armies met not far from *Xaintes*, where they had a sharp Engagement; and had the English equalled the French in number, they had gained the Victory, which the French Historians relate to have fallen to them: But the Number of those that were slain on either side is not mentioned; the Prisoners that were taken were exchanged; and those that behaved themselves with most Courage and Resolution in this Battle, were Simon Montfort Earl of *Leicester*, the Earl of *Salisbury*, Roger Bigod Earl of *Norfolk*, John de Burgh, Warin de *Mantcheny*, with divers others.

[2] When

[2] When the Earl of *Marche* saw how successful the King of *France* was in every thing he attempted; and that his Strength daily increased, he began to consider how he should regain his Favour, and be reconciled unto him, and therefore privily sent to the Earl of *Breign* to desire him, that he, with the Bishop of *Xaintes*, would use their Endeavours with the King of *France* to procure his Pardon; Upon this they both went to the King, and assured him, That the Earl of *Marche* was so sensible how much he had offended against his Majesty, and implored his Mercy and Favour, desiring he might obtain Pardon under what Conditions he pleased to impose.

[3] The King of *France* accepted the offer, and was reconciled unto him upon these Terms. *First*, That whatsoever Places belonging to the Earl the King had possessed himself of during this War, should be for ever annexed to the Crown. *Secondly*, That all those Castles that were then in his possession, whether of his Own, or his Vassals, which were judged any ways prejudicial to the King of *France*, should be delivered into his hands for three Years, and then not to be restored, unless the King was satisfied of his Fidelity. *Thirdly*, That he should with Two hundred armed Men enter into his Service, and faithfully serve him for Three Years at his own Charges, against all Enemies of the Church and Crown of *France*. *Fourthly*, That he should surrender up his Charter, whereby the King of *France* was obliged to pay him Ten thousand Pounds a Year for defence of the *Marches*, and should quit any such claim for the future. And farther the French Historians relate, That then Queen his Wife, and her Sons, were all Sworn to observe the Conditions now made. To these hard Conditions this proud Earl was now reduced to obtain his Pardon, and then was professedly sent against the Earl of *Tholouse*, his old Friend, and the King of *England's* Confederates.

[4] All this was concluded privately, without the knowledge of *K. Henry*, who had by Charter given the City of *Xaintes* to *Hugh le Brun*, the Earl of *Marche's* Son, the King's Half-Brother, without the Consent of the Citizens whereby he lost their Affections; for that they hated *Hugh*, as being an insolent Young Man: However, the King thought himself safe and secure there, till he was informed by one from the French Camp, That King *Levis* designed to come and besiege that City very suddenly, and was resolved not to stir from thence till he had made him his Prisoner; which was likewise confirmed by another, who assured him, That the Earl of *Marche* was revolted to the French, and if the King continued there one Night longer, he would be besieged. King *Henry* being by this Second Messenger pretty well persuaded, that the News was true, fled presently to *Blaye* a Town in *Gascoign*, about Forty or Fifty English miles from *Xaintes*, and his Army followed him as fast as it could, but was so harassed with the length and suddenness of the March, that they were unfit a good while for any Service: Upon this the Cities of *Xaintes*, *Ponts*, and all the rest of *Poitou* forthwith submitted to the King of *France*; only *Hervold* Governor of *Mirabel* Castle went to the King of *England*, and implored his Protection; To whom the King replied, He was betrayed by the Earl of *Marche*, and was scarce able

Anno Dom.
MCCCLII.

[2]

Id. p. 591.
The Earl of
Marche endeavours to be
reconciled to
the King of
France.

[3]

The King of
France accepted
the offer, and
was reconciled
unto him upon
these Terms.
First, That
whatsoever
Places belong-
ing to the Earl
the King had
possessed him-
self of during
this War, should
be for ever
annexed to the
Crown. *Secondly*,
That all those
Castles that
were then in
his possession,
whether of his
Own, or his
Vassals, which
were judged
any ways
prejudicial to
the King of
France, should
be delivered
into his hands
for three
Years, and
then not to be
restored, unless
the King was
satisfied of his
Fidelity. *Thirdly*,
That he should
with Two hundred
armed Men
enter into his
Service, and
faithfully serve
him for Three
Years at his
own Charges,
against all
Enemies of the
Church and
Crown of
France. *Fourthly*,
That he should
surrender up
his Charter,
whereby the
King of
France was
obliged to pay
him Ten thou-
sand Pounds
a Year for
defence of the
Marches, and
should quit
any such claim
for the future.
And farther
the French
Historians re-
late, That then
Queen his Wife,
and her Sons,
were all Sworn
to observe the
Conditions now
made. To these
hard Conditions
this proud Earl
was now re-
duced to obtain
his Pardon, and
then was
professedly sent
against the Earl
of *Tholouse*,
his old Friend,
and the King
of *England's*
Confederates.

[4]

Id. p. 592.
K. Henry loses
the Affections
of the Citizens
of *Xaintes*;
and on what
Occasion.

[4]

Id. p. 592.
K. Henry loses
the Affections
of the Citizens
of *Xaintes*;
and on what
Occasion.

The King in-
formed of his
being like to
be taken, fled
to *Blaye*.

Whereupon
all *Poitou* sub-
mits to the
K. of *France*.

Anno Dom.
MCCCLIII.

able to secure his own Person, and therefore gave him leave to act according to his discretion: Thereupon he went to the King of France, and submitted himself to his Mercy and Protection; to whom the King replied, That he only had behaved himself faithfully to his King, and therefore received the Castle and himself very kindly, and having first taken an Oath of Fealty, restored it to him again.

[5] William de Nogis in his Life of King Lewis under this Year and in the relation of this Story, is in some things more particular and in others less than Matt. Paris, though in the main they agree. The French Historian saith, That the Earl of Marche sent his Embassador, Hugh, who made Peace with the King of France upon the Terms, viz. That such Territories and Places as the King of France had taken from his Father, should remain to the Earl of Poitiers the King of France's Brother, and his Heirs; but as to the rest of the Lands the Earl of Marche and his Wife, with their Children were to stand to the Pleasure and Countess of the King of France for whose greater Security the Earl was to deliver up three strong Castles, viz. That of Melun; his Castle upon the River Crase; and Castle Arden, all which presently received Garisons, and thereupon the Viscount of Thours, and most of the Barons and Great Men of Poitou, did Homage to the King of France.

[1] In the mean time, the King of France resolved to pursue King of England to Bay, and from thence to Bourdeaux, if he thought, but secret Factions among the Nobility, as also the want of Victuals and Forage, but especially the Pestilence which raged in his Army, being deprived of near fourscore Noblemen who were either Dead, or carried home Sick, together with his own Indisposition, (being naturally of a tender Constitution) made him alter those measures he had before resolved upon; so that instead of pursuing the War, he made a Truce with the King of England for

Five Years, and then returned into France by Xaintes, and in a short time recovered his Health. This unfortunate Expedition is an Instance, that the Kings of England have scarce ever succeeded in any Enterprize, when they have offered to undertake it without the Advice and Consent of the Great Council of the Kingdom. But whilst King Henry was engaged in this unlucky War, the Queen his Wife lay in at Bourdeaux, of a Daughter called Beatrice.

[3] During the King's being in France, a Scutage was exacted throughout all England of every Knight's Fee Three Marks, or (as Matt. Westminster relates) but Twenty Shillings; in the mean while King Henry having retired to Bourdeaux, spent his time with the Queen in idle Jollity, as if no Dishonour had befallen him; and during his stay there, (about Michaelmas) Earl Roger Bigod, with the Earl of Winchester, and many other Great Men, came to the King, desiring leave to return into England, which he granted them. Also about the same time William de Maris, a Knight of Ireland having been long Outlaw'd with divers of his Accomplices, exercised Piracy in the Welsh and Irish Seas, making the Isle of Lundy (of which they had then possessed themselves) their Receptracle, but being there surpriz'd by some that were sent for that Purpose, and brought to London, he and Sixteen more of his Company were

[13] Several of the Nobility desire leave to return into England.

William de Maris is taken, and Executed.

condemned to be drawn, hanged, and quarter'd; but at his
 request he utterly denied that he had killed the *Mad Fellow* (as
 he was called) to take away the King's Life. In the Winter of
 1485, at this time likewise, the King created *William de Ros*
 Earl of the North, very unkindly; who said he had spent all his
 money in his service; and so could do no longer in France.
 He was bound where he was to remain in himself, had not with
 him his hands seized without the judgment of his Heirs, *M. Ruc*
 Earl of Richemont perceived that he had been dealt with
 against the King and blamed him for it; but he was received
 with great Passion and some threats to which Earl Richard
 returned soon when he saw the King continued to remain
 would not be guided by this advice. [1] He with *William* the
 Earl of *Hereford* and many others, *Great Men*, viz.
John de Vere, and came over into England, though with the
 danger of shipwreck being driven upon a certain shore
 of *Cornwall*, and escaped. In the year 1485, upon the
 11th of October following, King Henry sent to the Archbishop
 (to whom he had committed the Government of the Kingdom
 in his absence) commanding him to send the *Clothes* belonging
 to the Archbishopric of *Canterbury*, and sell other Bishopricks that
 were vacant, with the *Reven*, Salt, and other *Winter Provisions*,
 and to provide a great quantity of *Cloth* for his Soldiers, and
 to send them to him at *Boulogne*; which was done
 accordingly. Moreover, he commanded the Archbishop, that he
 should confide to the Estates of those that withdrew themselves from
 Service; but the Archbishop prudently declined to execute
 these commands, because he knew that *Nerebery* had sold
 his lands, and also knew that continued with the King at
London (namely *Simon Earl of Leicester*, *William Earl of Salisbury*,
 and other Noblemen) did not continue such *great Debts*, that
 were owing to *Great Vassals* that he had sold. [2]
 The King at this time gave himself wholly up to softness, and
 profitable Expence of Money, and was now absolutely Govern'd
 by the Countess of the King of *France*, viz. *Earl of Orléans*, who
 was married by him in his Exile. However he was still de
 ceived and led away by the *Boil* and the *Gas*
 so that notwithstanding the *Sentage* he had extorted, and
 many other supplies of Money and Provisions, besides the
Wool for his Soldiers; yet he was reduced to such great
 wants, that he wrote again to the Archbishop of *Tork*,
 to furnish out *Leutenants* and *deceit* of the *Cistercian* Order, one
 of the Profit of all their *Wool*, from which they endeavoured by
 all possible means to excuse themselves; but when they were
 led by the Archbishop to comply with the King's desires, who
 was ready to succour their Necessities. One of the Abbots of
 the Order answered, That the King was sworn to do Justice, and they
 could not do anything against him in particular, which he was not obliged to
 do. The Archbishop said, But this therefore, (said the Abbot) Govern us
 with mildness and no Oppression contrary to Justice; [4] and then if
 we give them anything for the Health of this Soul; and the good
 of the Kingdom, they were ready to receive it. An honest blunt
 Answer, and worthy an old English Abbot. [5] This

Anno Dom.
 MCCXVII.
 The King's
 Unkindness
 which was
 presented to
 the King
 Richard
 which was
 the King's
 and other No
 blemen, re
 turns into
 England.
 [1]
 The King's
 to the A. B. of
 York, to send
 him over Pro
 visions and
 Cloaths for
 Army.
 As also to
 send the
 King's
 that had de
 ferred his
 vice.
 [2]
 Id. ib.
 The King's Ex
 travagance at
 Boulogne re
 duces him to
 great Necessi
 ty, notwith
 standing the
 Supplies that
 had been sent
 him.
 [3]
 Id. p. 597.
 He writes to
 gain to the
 A. B. for their
 Supplies, and
 to take the
 Wool belong
 ing to the
 Cistercian Or
 der.
 A notable An
 swer of an
 Abbot of that
 Order.
 [4]
 Id. p. 598.

of the Winter at *Buckingham* without doing any thing considerable, except the subduing some *Gales* Rebels, who had fortified certain Castles belonging to the King's Petitioners within the District of that City: The Particulars of which our Author does not think worth mentioning, only that at the taking of a Church belonging to a Monastery called *St. Mary's*, which was held by these Rebels, certain Clerg and specially Councilors of the King's, called *John May*, a stout and Brave Man, having had his Leg broken by a Stone let fall from the top of the Church, had been there killed by a shower of Stones cast upon him, had he not been saved by the broad Target of some of his Friends, and being carry'd off and being recovered, was by the King not long after admitted as one of his Chief Directors, for his great Courage and Fidelity: This I take notice of (though otherwise of no great Moment) to inform the Reader upon what score this Man became one of the King's Chief Ministers of State, and of whom you will hear a great deal hereafter.

From *Boulogne* in the beginning of March following he again wrote to the Archbishop of *York* to send him more Provisions and Money, complaining he had received neither, since the Abbot of *Evesham* came to him. This amazed the Archbishop, who had so lately sent such large Supplies; but he thought that the Sea had devoured it, wherefore he made further Provisions both of Victuals and Money, and designed to send them unto him: But the Wardens of the Cinque Ports refused to undertake it, unless he would provide a Convoy of Ships sufficient to protect them against the Piracies of the *Barbours of Breizne* and those of *Cabin*, who had already thrice set upon them, and spoiled them of their Men, Ships, and Goods, to their irreparable Loss and Damage: But when the Archbishop heard their Answer, he signified the same to the King, and desired him to hasten his return into *England*.

[1] On *St. Gregory's Day* (being *March the Twelfth*) the Five Years Truce between the King of *England* and *France* was solemnly confirmed by both Parties; and by this Agreement the King of *France* was to retain whatever he had got by the sword, may even those Castles which the King of *England* had acquired by the help of the *Gales* were to be restored to him; and he was also to pay to the King of *France* Five thousand Pounds *sterling* every Year: to so mean Terms was this poor Prince by his own Rashness and Obstinacy now reduced.

[2] I cannot here pass by one very remarkable Passage in our Author, tho' it is omitted by *Dr. Brady* in his *Comp. Hist.* viz. That about this time the City of *London* was compelled to a most grievous Ransom, (which is there called a *Tailage*) made in this manner: The King's Officer came to this and that Citizen in particular, telling him, That the King being now engaged in a Foreign War, and in great want of Money, he must send him such and such a Sum: And thus they extorted from the poor Citizens what they pleased to rate them at; but all this and more our Author

says the Citizens would have willingly lent, if they had been satisfied it was bestowed for the good of the King and Kingdom. *Anno Dom. MCCXLIII.* have noted this, to let the Reader see, that forced Loans to the Crown, though they were no new things, yet were always looked upon as against the Rights and Liberties of the City and Nation; but this Dr. B. endeavours to conceal.

[3] About the same time the King wrote to the Archbishop to provide such a Fleet as might secure his Passage into England; and further commanded all the Great Men to be in a readiness at Portsmouth to receive him at his Landing: But by many cross Accidents his Passage was still delayed; for either the Queen was not as yet well recovered from her lying in, or else had some other Infirmity; and besides, the Citizens of Bourdeaux, and all the Gascoigns, were unwilling to part with so profitable a Guest, being liberal in his Bounties to them; so that his departure raised a Tumult among them, which he hearing of, after he was embarked, was forced to land again, and return to Bourdeaux to appease it: And on the other hand, the Archbishop and Great Men of England were tired out with their long attendance: But at length, after he had settled Gascoigny, and committed the Government of that Country to Nicholas de Molis, he again took Shipping, and landed at Portsmouth on the Twenty fifth of September, and was received at Winchester by almost the whole Nobility, with all the Demonstrations of Joy and Respect they could shew; by the Citizens of London with variety of inestimable Presents; and by the Clergy Joy with a pompous Procession on the Thirteenth of October following.

[4] The King, soon after his return, forced the Jews to pay him a great Sum of Money, and took from one Aaron a rich Jew of York no less than Four Marks of Gold, and Forty thousand Marks of Silver: As for the Gold which every Jew, both Man and Woman paid, he did them the Favour to receive it with his own Hands, but left the receipt of the Silver to his Officers: The Abbots also and Priors presented him with many rich Gifts; and if he did not answer his Expectation, he rejected them, and required others of greater value.

[5] After which, on the First of November, Beatrix Countess of Provence, the Queen's Mother, arrived in England, being received at London with great State and Magnificence; she brought with her her Daughter Cincia, who was married to Earl Richard at Westminster, on the Twenty third of that Month; and the Marriage was celebrated with great Pomp and Feasting, there being no less than Thirty thousand Dishes provided for the Wedding Dinner.

[1] This Year afforded no Ecclesiastical Affairs of moment, except the Election of a new Pope, after the See had been vacant a Year and half, he was called by the Name of Innocent the Fourth, but before known by that of Senebaldo of Genoa: And so soon as he was Consecrated, he confirmed the Consecration denounced by his Predecessor against Frederick the Emperor.

N n n n n

[2] This

Anno Dom.

MCCCLIV.

[2]

Id. p. 613.

The K. keeps

his Christmas

at Wallingford

Castle.

The Countess

of Provence

leaves Eng-

land.

Id. p. 368.

The K. sum-

mons a great

Council, and

desires an Aid.

The Clergy

treat of it by

themselves.

Id. p. 368.

The K. sum-

mons a great

Council, and

desires an Aid.

Id. p. 368.

The K. sum-

mons a great

Council, and

desires an Aid.

Id. p. 368.

The K. sum-

mons a great

Council, and

desires an Aid.

Id. p. 368.

The K. sum-

mons a great

Council, and

desires an Aid.

Id. p. 368.

The K. sum-

mons a great

Council, and

desires an Aid.

Id. p. 368.

The K. sum-

mons a great

Council, and

desires an Aid.

Id. p. 368.

The K. sum-

mons a great

Council, and

desires an Aid.

Id. p. 368.

The K. sum-

mons a great

Council, and

desires an Aid.

Id. p. 368.

The K. sum-

mons a great

Council, and

desires an Aid.

Id. p. 368.

The K. sum-

mons a great

Council, and

desires an Aid.

[2] This Year King Henry kept his Christmas at Wallingford Castle, being nobly entertained by his Brother, Earl Richard, as likewise were most of the Nobility; his Lady Cincia appearing there also, with the Countess Beatrix her Mother: she soon after, upon the news of the Earl of Provence her Husband's being very sick, took her solemn Leave of the King and Court, and embarking at Dover, had a good Passage to her own Country.

[3] I shall now return to Secular Affairs of greater moment: Immediately after Christmas, the King summoned the Great Men of the whole Kingdom, the Archbishops, Bishops, Abbots, Priors, Earls, and Barons, to meet at Westminster; and being there assembled, he with his own Mouth demanded a Pecuniary Aid of them, with which he indeed designed to bring the King of Scots to Reason (who now began to oppose him;) Yet the King only pretended, that he had the Year before by their Advice passed into Gascoigny, where he had contracted great Debts, of which he desired them to ease him. To this the Barons answered, They would consult together about it. Then the Archbishops, Abbots, with the Priors treated of it apart by themselves; and after that, they asked the Earls and Barons, if they would please to consent to what they had resolved, in relation to their Answer to the King's Demands? Who replied, That without the whole * Body or Community of the Kingdom, they would act nothing; and then by common Assent, there were chosen on behalf of the Clergy Boniface Archbishop of Canterbury, the Bishops of Winchester, Lincoln, and Worcester; and on behalf of the Laity, Earl Richard the King's Brother, Earl Roger Bigot, Simon Montfort Earl of Leicester, and the Earl Mareschal; On behalf of the Barons, Richard de Montfichet, John de Baliol, with the Abbots of Ramsey and Bury: And what these Twelve should agree, should be communicated to the whole Body, that so nothing should be offered to the King without the Common Assent.

The Result of their Resolutions seems, to be thus: [4] That because the Charter of Liberties, which the King had regranted some time before (and for the Observation whereof Edmund Archbishop of Canterbury had sworn and undertaken) was not kept; nor the Aids so often given, disposed of to the Benefit of the King and Kingdom, and that through the Fault of the Chancellor, Writs were granted contrary to Justice, they therefore desired, that such a Justiciary, and such a Chancellor might be made, that the State of the Kingdom might be established upon its former Basis. But all these reasonable Requests proved ineffectual: for the King (lest he should be thought to do any thing by Compulsion of this Council) would not grant the Petition of the Great Men, only promised in general to amend what he was by them informed to be amiss. Whereupon their Meeting was adjourned until Three Weeks after Candlemas: But they first resolved, That in the mean time the King would of his own accord chuse such Counsellors, and take such care of the Rights or Laws of the Kingdom, as to satisfy the Great Men, then they would give him an Aid, yet on that condition, That it should be expended for the Benefit of the Kingdom, by Advice of the Twelve Representatives above mentioned. When the

The K. refusing to grant their Requests the Council adjourned

the King saw he could not prevail upon them in a joint Body, *Anno Domini MCCXLIV.* then tried the Clergy a-part, what they would do upon the Pope's Letters, in which he exhorted them to give the King a liberal Assistance in Money.

[5] But the King finding he could do no good with the whole Clergy, desired the Prelates (that is, all Bishops, Abbots, and Deans) that they would meet in the Infirmary of the Abbey of Westminster; and when they were thus assembled, the King sent the Earl of Leicester and other Noblemen to perswade them to contribute some Money towards the War of Gascoigny, and to repress the Insolency of the Welsh. But whilst they were debating about it, the King came to them himself, and repeating his former Requests, farther told them, *That his Honour and theirs should be inseparable*: But when they deferred their Answer, and desired longer time to advise about it, the King withdrew: The last Result of the Bishops and Prelates was, That they could not divide themselves from the *Common Assent* or Agreement of the Great Men of the Kingdom; and so all Affairs were put off till their next Meeting, and then this Synod broke up.

It also appears by our Author, [1] That this great Council or Parliament had contrived a new Method of Government, which they intended to have offer'd to, and put upon the King, if they could; to wit, That Four of the most Potent and Discreet Men of the Kingdom should be chosen by *Common Assent*, and then sworn of the King's Council; and these should transact all Affairs relating to both King and Kingdom, and should do Justice to all, without respect of Persons; and that these should still follow the King, and Two of them at least were always to be present with him, that so they might hear and relieve the Complaints of Persons oppressed: The King's Treasury was likewise to be managed by them, and all Aids were to be expended as they thought most for the Advantage of the Nation: In short, they were to be the Conservators of the Publick Liberties; and as they were chosen by *Common Assent*, so they were not to be removed out of their Office but by the same Assent; when one died, another was to be chosen by the Three Survivors: And without the Consent of these Four, the Great Council was not to meet. So that if this Design had taken effect, the King had been a meer Cypher, and had had little or no share in the Government.

But it seems this Project came to nothing, by reason that the Clergy, who had a great hand in these designed Alterations, were now taken up with other Affairs that more nearly concerned them; [2] for about this time Pope Innocent had sent a Clerk or Chaplain of his called Martin, as his Nuncio into England, with Power to Excommunicate and Suspend whomsoever he should find refractory to his Commands; which Authority he soon exercised on several Prelates, until they would make such a Provision for the Pope's Clerks and Kinsmen as he demanded, who thought no Revenue under Thirty Marks *per Ann.* worth their acceptance. Moreover, he directed his Letters to several Abbots and Priors, strictly enjoining them to send him such Horses as were fit for the Pope's own Chaplain; and if they refused, and made any excuse, though

[5]
Id. p. 640.
The K. tries
the Clergy a-
part, to obtain
an Aid of 'em,
but without
effect.

[1]
Id. p. 641.
A new me-
thod of Go-
vernment de-
sign'd in this
Parliament.

But the De-
sign is defea-
ted, and why
[2]
Id. p. 613.

The Pope's
Nuncio's un-
reasonable
Demands.

Anno Dom.
MCCXLIV.

never so reasonable, they were forthwith suspended, as particularly the Abbot of *Malmesbury*, and the Prior of *Merton*, until they would make full Satisfaction: And when any Prebendaries of Churches became void, he presently seized them, and by virtue of the Pope's Authority, disposed of them as he pleased; and gave one of the Richest Prebendaries of *Salisbury* to a little Boy, who was the Pope's Nephew, against the Will of the Bishop and the whole Chapter.

[3] And what yet further perplexed them, was, [3] that this Mr. *Martin* produced other Letters from the Pope, in which he required a great Sum of Money of them to pay off the Debt, that his Predecessor *Gregory* had contracted in a War (as he pretended) for the Catholick Faith, Ecclesiastical Liberty, and the Patrimony of the Church.

[3]
Id. p. 643.
The Pope demands Money of the Clergy.

These Transactions, and several others of this Year, are not put together in due Order of Time, as they ought to have been by our Author, and therefore I have endeavoured to correct that Defect as well as I could: I shall now give an account of what was done at the next Session of this Parliament; [4] When the Great Men and Prelates met again at *London* according to their late Adjournment, Three Weeks after *Candlemas*, to treat about the King's Demands of an Aid, he there again renewed and promised entirely to keep the Charter of Liberties, which he had sworn to at his Coronation, and gave the Bishops leave, in their respective Dioceses, to Excommunicate himself and all others, that should act contrary to it in any Article: Yet for all this, he could only obtain Twenty Shillings of every Knight's Fee to marry his Eldest Daughter, of all those who held of the King *in Capite*, the one half to be paid at *Easter*, and the other half at *Michaelmas*.

[4]
Id. p. 643.
The Parliament meet again.

The K. promises better to observe the Charter of Liberties, under pain of Excommunication.

Id. p. 643.

When Mr. *Martin* the Pope's Nuncio saw that the Great Men had given the King this Aid, he pressed his Business to the Clergy as earnestly as he could, making them a very cunning Speech, That since they had assisted the King their Temporal Lord, could they now do less for their Spiritual Father the Pope? But the Prelates were as cunning as the Legate, and laying their Heads together, answered by the Mouth of the Dean of *St. Paul's*, That what he demanded, particularly concerned the King, the Archbishops, and all the Bishops and Prelates of *England*; and that since the King by reason of Sickness, and the Archbishops and several Bishops were likewise absent by reason of Business, they could not for the present give him any other positive Answer: Upon which Words came in *John* the *Mareschal*, and forbid all the Prelates, who held Baronies of the King *in Capite*, to oblige their Lay-Fees to the See of *Rome*, whereby the King would be deprived of the Service due to him. Nor did the Legate meet with any better Success upon other fresh Letters, which he produced from the Pope in a lesser Assembly of the Prelates, who met during the absence of the rest, and then gave Mr. *Martin* their positive Answer, That the present Poverty of the Kingdom, and their Fears of new Wars which were like to break out upon them, would not permit them to consent to this Exaction; besides, many other good Reasons were added, which the Reader may find in our Author, and more at large in the

Annals

Annals of *Burton*, if he will give himself the leisure to peruse them: *Anno Dom. MCCXLIV.* And then upon the Nuncio's threatening of them, they only subjoin'd, That they were also afraid of the Emperor's Threats, if they gave any Money; for he had by his Letters lately forbid both the King and them to contribute any thing to the Pope; so that it seems all the Nuncio could do, was to lay his hands on the Revenues of vacant Benefices, and to scrape Money together by all the extortive means he could think of. But to return to Temporal Matters:

[5] In the same Month of *February*, the King made some Alterations in his Court and Council, which whether they were for the better or the worse, I will not determine, only that he put in *Sir Paulinus Pipor* Steward of his Household, and took *John Mansell* Chancellor of *St. Paul's*, into his Council; and *Mr. Lawrence* of *St. Martin's* was made President of his Council, and his Procurator in all Ecclesiastical Affairs; This *John Mansell* was one in Orders, and being a very Politick Person, was afterwards made one of the King's Chief Ministers and Favourites.

Not long after, [1] on the first day of *March*, hapned an Accident, which though it was of no great moment, yet seems to have encouraged *David* Prince of *Wales* to rebel; for *Griffyn* his Half-Brother, being weary of his long Imprisonment in the *Tower*, having made a long Line of the Furniture of his Chamber tied together, thought to slide down by it from the top of a Tower; but the Rope breaking with his weight, he being a very large and heavy Man, he fell down, and dash'd out his Brains: He was a Person of great Courage, and as long as he liv'd, his Brother the Prince would never have dared to attempt any thing against the King, for fear he should thus have been let loose against him; but being thus taken off, it was no wonder if the Peace did not long continue.

[2] For in the beginning of this Summer, the *Welsh* Prince, notwithstanding the solemn Oaths and Charters which he and his Great Men had made to King *Henry*. in token of their Homage and Subjection to him, they revolted from his Obedience, and made War upon him and his Lord *Marchers*, viz. the Earl of *Clare*, the Earl of *Hereford*, *John de Monmouth*, *Roger de Montault*, and other Potent Barons, who gathering their Forces by the King's Command, came to an Engagement with the *Welsh*, in which there fell about an hundred on both sides.

[3] Then on the Eleventh of *June*, the King being at *St. Albans*-Abbey, received the ill News of the *Welsh* Insurrection; at which time also he heard, that the King of *Scots* had publicly declared, That he would not hold the least Piece of Earth of the King of *England*; for ever since the last Marriage of the *Scottish* King with the Daughter of *Engelram de Cuscey*, a Potent Nobleman of *France*, and an utter Enemy to King *Henry*, the good Intelligence between the Two Crowns was so much abated, that at last it ended in an open War.

For not long after, the Quarrel between these Two Princes rose to that heighth, [4] that King *Henry* summoned all the Great Men of *England*, as well Bishops and Abbots, as Lay-Barons, who held

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[5] Id. p. 616.

He makes Alterations in Court and Council.

[1] Id. ib.

Griffyn Brother to Prince *David*, falls from the Tower, and dashes out his Brains.

[2] Id. p. 638.

The *Welsh* rebel against K. *Henry*.

[3] Id. ib.

The King of *Scots* renounces his Homage to the King.

[4] Rot. Cl. 28. H. 3.

M. 8. Ders.

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K. Henry summons all Ten-
 nents in *Capite*
 to march a-
 gainst the K.
 of Sws.

The Peace is
 renewed be-
 tween them;
 and on what
 Terms.

castles upon *Tyne*, to force the King of *Scots* to make Satisfaction, unless he would hear their Advice, where they appeared according-
 ingly at the appointed time, being the Fifteenth of *August*, and they had a serious Treaty about this Weighty Affair, and then by the Mediation of *Earl Richard*, and other Great Men of both Na-
 tions, there was a Peace made upon these Terms. That the King of *Scots* and his Heirs, should keep Perpetual Faith and Friendship to-
 wards his Liege-Lord King *Henry* and his Heirs; That he should not make any Leagues with the King's Enemies; That the Peace should stand Good, that was made in the Presence of *Otto* the Pope's Legate at *York*; as also the Agreement concerning a Contract of Marriage to be made between the King of *Scots*'s Son, and the King of *England*'s Daughter, all which appears by [5] King *Alexander*'s Charter, which you may find at large in our Author, as also the Pope's Bull to confirm it.

[5] *id. p. 646.*

No sooner had the King dispatched these great Affairs in the North, but he was called back by a fresh Insurrection of the *Welsh*, [1] who having now invaded the *English* Borders, burnt and plundered all before them; when the King too much despising the Forces of his Enemies, disbanded most part of his Army, and going himself for *London*, only sent *Herebert Fitz-Matthew* with Three hundred Horse to subdue them; whereupon the *Welshmen* taking Courage fell upon and destroyed the Forces of the *Earl of Hereford* and *Ralph de Mortimer* before *Herebert* could get up to them, and when he attack'd them the Day after, they put him to flight, and so they continued Victors for the rest of this Year.

[1] *id. p. 647.*
 The *Welsh*
 make fresh In-
 vasions on the
English Mar-
 ches, and
 rout the For-
 ces of the
 Lords Mar-
 chers.

[2] In the beginning of *November*, the King again Assembled the Great Men of the Kingdom, of whom he required an Aid against the *Welsh*, which was denied him; but whether it was out of anger, because of the King's late ill Conduct, in not sending greater Forces against them, or that the Nobility thought they might be reduced without an Aid in Money, I can not determine.

[2] *id. p. 650.*
 The K. re-
 quires an Aid
 against the
Welsh, but is
 denied.

But not long after, the King received news, which highly incensed Him and the Great Men against *David* Prince of *Wales*; [3] who desiring to cast off the Yoke of Subjection to King *Henry* his Uncle, and notwithstanding the Charters of Homage and Subjection which he had made to the King about Three Years since,

[3] *id. p. 627.*

[4] sent privately to the Pope, some time last Summer, offering to hold his Countrey of him at the Yearly Tribute of Five hundred Marks, provided he would protect him against King *Henry*, and for a round Sum of Money obtained the Pope's [5] Bull, directed to the Abbots of *Aberconway* and *Kemere*, by which he constituted them his *Inquisitors*; whether Prince *David* by Force and Fear was compelled to stand to the Arbitration of the Bishop of *St. Asaph*, and others; and if they found it to be so, then to dispense with, Release, and make void his Oath and Engagements; and by vertue of which Bull, the said Abbots summoned the King to appear before them on the *Vigil*, or Eve of *St. Agnes*, (that is, *January* the Twenty First) at *Keyrus* in *Wales*, to answer Prince *David* concerning the Contents of the said Bull; But when the King had received this Insolent Summons from these Abbots, it so enraged Him

[4] *id. p. 650.*
David Pr. of
Wales private-
 ly offered the
 Pope to hold
 his Countrey of
 him, at an
 Yearly Tri-
 bute.

[5] *id. p. 651.*
 Recited at
 large in our
 Author.

and

and the Great Men of the Kingdom, that they resolved to march against the *Welsh* as soon as the Season would permit.

But since the *Welsh* Historians give a far different and larger Account of the Grounds and Progress of this War, I shall from Dr. *Powell's Chronicle* under this Year, shew you what they assign as Reasons to Justifie Prince *David* in thus breaking the Peace, which he had so solemnly sworn to observe; as First, That King *Henry* had the Year before began very much to oppress the *Welsh*, by turning them out of their Estates without any just Title, or sufficient Cause, and that after the Death of *Griffyn* above-mentioned, King *Henry* had Entitled his Eldest Son *Edward* to the Principality of *Wales*.

And to give you all the *Welsh* Transactions of this Year together, though confusedly set down by our Authors; Upon this News, Prince, *David* understanding the King's design to disinherit him, used all the means he could for the Defence of his Just Right; but finding himself unable to withstand the *English*, resolved to effect that by Policy, which he could not obtain by Force; wherefore the Year before he privately sent Messengers to the Pope, complaining against the King of *England*, as you have already heard above.

Then Prince *David* finding that the Pope only minded his own Interest, and delayed to do Justice upon his Complaints against the King of *England*, thought it was to no purpose to wait any longer for his Decision, but judged it more advisable to vindicate himself by the Power of his Arms: Having therefore mustered up his Forces together, (being now reconciled to, and followed by most of the Nobility of *Wales*) he drew his Army towards the *Marches*, to be revenged upon the Lords of those Parts already mentioned, who (as he pretended) had injured and oppressed his People, and with these Noblemen he fought divers times this Summer, with various Successes.

But as for this Relation, though it may be in great part true, especially as to what concerns Prince *David's* addressing himself to the Pope for Protection against King *Henry*, yet I do not find from any good Authority, that the *Welsh* Prince had received any Provocation from King *Henry*, sufficient to Justifie him in the breach of the last Articles of Peace between him and the King; for there is no mention in our *English* Histories concerning any such violent taking away of the *Welshmen's* Estates, as is given us in the above-mentioned Relation; and if there had been any such thing, yet could it no ways have vindicated this War, since he ought by the said Articles to have first complained to the King for redress, before he had taken up Arms; and if he had not been then satisfied in his Lawful Demands, he might have had some colour of righting himself by War: But as for King *Henry's* Entitling his Son *Edward* to the Principality of *Wales*, (for which Dr. *Powell* quotes no less an Authority, than the Records of the *Tower*, yet without giving us the Year, or Number of the Roll,) I find no such thing mentioned in any of our Historians; though when any such Record can be found, I shall agree with this Author's Relation, but till then I think I may boldly affirm, that there is no such thing. And

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The Account
the *Welsh* Hi-
storians give
to Justifie their
Prince's
breaking the
Peace.

Dr. *Powell's*
Chron.

Prince *David*
finding no Re-
medy from
the Pope, takes
up Arms and
Invades the
English Bor-
ders.

The *Welsh* Hi-
storians not to
be credited in
this Point.

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as for Prince David's Allegation to the Pope, that his late Charters of Homage and Fealty to King Henry were gain'd by Force and Fear, it is certain, the Matter of Fact was otherwise, and that Prince David being then in perfect Liberty, might have defended himself if he had pleas'd, against the King's demands, supposing he had thought them too Unjust and Unreasonable to be comply'd with.

[1]

Id. p. 614.

The K. of Fr.
his offer to his
Subjects that
had Estates in
England and
France; But
K. Henry wou'd
not leave the
Normans to
their Choice.

But it is now time to look abroad, and see what was done in Foreign Parts, during this busy Year in England; about the beginning of which [1] the King of France assembled at Paris all such of his Subjects that had Possessions in England, and declar'd to them, That he thought they could not serve faithfully two different Lords at the same time; and then gave them their Choice to whom they would adhere; and after that they were to relinquish their Lands and Possessions in the other Prince's Dominions; upon this some kept their Estates in England, and left those in France and came over hither, whilst others did the contrary, according to their different Interests and Inclinations. When this was made known to the King of England, He commanded all the Estates that the Normans then enjoy'd in his Realm, to be forthwith seiz'd to his own use, and would not give them their Liberty of choice, (as the King of France had done,) which Prince they would adhere to, which was by the French look'd upon to be a Breach of the Truce: But their King was not so well recovered of his late Sickness, nor at leisure to prosecute this pretended Violation by a new War, but wisely endeavour'd to appease and repress the querulous Invektives his Norman Subjects made against the King of England.

As for the Affairs of Germany, I find little considerable to have happened this Year, only that the Emperor Frederick, the King's Brother in Law, about the beginning thereof, sent Mr. William D'ocra, and others his Ambassadors with Letters to the King, offering to justify himself from the Imputation of Contumacy and Disobedience to the Pope, and that he would submit his Cause to the Judgment of the Kings of England and France, and the Barons of their Kingdoms; and then complaining of the Pope's Severity and Injustice, desired the King not to permit any Contributions in Money to be made to him by his Subjects, threatening besides, if the King did not comply with his desires, to revenge it upon such of the English, whom he should find within his Dominions.

As to such Ecclesiastical Affairs, as had no dependance upon the Civil, I find none considerable, only that William de Rault Bishop of Winchester, having been long kept out of England, and from his Bishoprick, by the King's Unjust Severity, was about Midsummer, by the Pope's Mediation call'd home, and restored to the King's Favour, at which all true Englishmen were much rejoic'd, except some Court-Chaplains, who being Fomenters of Discord, were afraid, lest his Prudence should render them wholly useless, by promoting the Welfare of both King and Kingdom.

I think I may boldly affirm that there is no such thing as a free press in England. The

[2] The King now kept his *Christmas* at London, with many of his Noblemen, where he knighted *John Gatesden* a Clerk in Deacon's Orders, who having by his Prudence and Industry in Publick Affairs acquir'd a good Estate, he resign'd his Benefices, and soon after married the Daughter of *Rose de Bruis*, and leaving off the dangerous Care of Souls, aspired to the Dignity of a Nobleman.

[3] On the Sixteenth of *January* following, the Queen was brought to Bed of a Son, who was Christ'ned *Edmond*, and afterwards created by his Father, Earl of *LANCASTER* and *Derby*.

[4] So soon as the Season would permit, the War was afresh renewed against the *Welsh*; for in the beginning of *Lent* the Constable of the Castle of *Montgomery*, with such Forces as he had with him, by a Stratagem overcame the *Welsh*, and killed above Three hundred of them; but the same Week, Prince *David* to revenge this Defeat, wasted the *English* Borders with Nocturnal Incursions, against whom when the Militia of the Country began to March, they were assaulted by the *Welshmen* in the narrow Passes and Streights of the Mountains, with Darts, Arrows, and Stones, one of which knock'd down, and kill'd on the Place *Herbert Fitz-Matthew* (already mentioned) Chief Commander: The *English* were so dismay'd at this, that they presently retreated, carrying off the Dead Body along with them. The *Welsh* being animated with this Success, Prince *David* mustered up his Forces, and laying Siege to the Castle of *Montalt*, took it by Assault, and killed most of those he found in it, but missed of *Roger de Montalt* the Owner of it, whom he thought to have found there. I read of nothing further done against the *Welsh*, till towards the End of this Summer, notwithstanding the King and the Nobilities late resolutions of undertaking a speedy Expedition against them; but it seems they were so taken up with contriving how to put some stop to the Papal Exactions, that they could not mind Military Affairs.

[5] For *Martin* the Pope's Nuntio still continued his wonted Oppressions of the *English* Church and Clergy, by his unjust Extorting of *Procurations*, and by conferring great Benefices upon the Pope's Creatures and Relations; and our Author tells us, that his Greediness and Extortions, were so Notorious, that he conceals the Particulars out of meer Reverence to the *Roman* Church: Yet notwithstanding, the King still supported the Nuntio against the Clergy, because his Lord the Pope might do him the like good Turn, whenever there was occasion for it.

[1] But at last Matters were reduced to that Extremity, that they required some speedy Redress, and therefore some Great Men deploring the lamentable State of the Church and Kingdom, took the Courage to give Orders, That if any more Bulls from the Pope came into *England* to chouse the People of their Money, they should be stopt. Now it happened about this time, that a Messenger from the Pope arrived at *Dover*, whom the Warden of that Port presently seized, with all his Bulls and Letters, containing divers new Inventions for Money; but when Mr. *Martin* heard of his being taken up, he went presently to the King, and made his Complaint of it: But he not daring to own the Action, immediately gave or-

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[2]
Id. p. 653.
The King
knighted John
Gatesden a
Clerk in Or-
ders.

[3]
Id. p. 654.
The Queen
brought to
Bed of a Son.

[4]
Id. p. 654, 655.
The War re-
newed against
the Welsh with
ill Success.

[5]
Id. p. 657.
The Pope's
Nuntio conti-
nues his Ex-
tortions.

[1]
Id. p. 657.
Some of the
Great Men
order the
Pope's Mes-
senger to be
seized.

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Whom the K.
releases.

[2] M. p. 658.

The K. begins
to be sensible
of the Avarice of the
Roman Church
The vast Re-
venues of the
Italians in
England.

[3] M. p. 659.

The Repre-
sentative Body
of the King-
dom write a
bold Letter to
the Council at
Lyons.

[4]

The Military
Men resol-
ving to hold a
Tournament
send a severe
Message to
Martin the
Nuntio, com-
manding him
to be gone.

Whereupon
the K. not be-
ing willing to
protect him
he is forced to
go away.

der, that the Messenger should be released, and all his Bulls and Letters restored to him, which was done accordingly, though it was so much to the King's Dishonour, as well as to the Prejudice of the Kingdom.

Yet some time after, his Eyes began to be opened, for about *Whitsuntide* following, he ordered a strict Enquiry to be made in each County of the true Value of the Livings and other Benefices which the *Italian* Clergymen then enjoyed in *England* by the Gift of the Pope; and they were found to amount to Sixty thousand Marks per Annum, which then exceeded the whole Revenue of the Crown; upon this Report the King came to himself, and being moved with Anger, began to detest the insatiable Avarice of the *Roman* Church, yet durst he not in Person declare against it, only he permitted a bold but elegant Epistle to be written in the Name of the General Body or Representative of the whole Kingdom, in which they set forth the *Execrable Extortions* and *Exactions* of the Pope's Legates and Nuntios, and sent it to the Council then sitting at *Lyons*, by *Earl Roger Bigod*, *John Fitz-Geoffrey*, *William de Cantelupe*, *Philip Buffet*, *Ralph Fitz-Nicholas*, and *Master William Poweric* their Clerk or Secretary, in the Name of the whole Body of the Nation, who were to declare the insupportable Burthens thereof; as also by reason of the Pope's exacting the Tribute, granted by King *John*, to which they had never consented, and ordered them to seek for Redress against it.

But the high and active Spirits of the *English* Nobility and Gentry could not endure so much delay, therefore they resolved to take a more speedy Course; but the King fearing before-hand their violent Proceedings forbade them to meet, upon the Account of a Tournament: yet for all this, on the Thirtieth of *June* (not long after) they assembled in a great Body both at *Luton* and *Dunstable* in *Bedfordshire*, and there resolved to bear no longer with the Pope's Nuntio: from thence they sent *Fulk Fitz-Warin* (one of their Number) to the New-Temple at *London*, to *Mr. Martin* the Pope's Nuntio, and chief Instrument of his Exactions. When *Fulk* came thither, he looked upon him very sternly, and bad him begone out of *England* immediately: Who commands me to do this, said *Mr. Martin*? Is it your self? To whom *Fulk* answered, No, not I, but the whole Body of armed Knights, that lately appeared at *Luton* and *Dunstable*, do by me command you to be gone; and bad him be gone again, or else he and his Followers should in Three days be cut in Pieces. *Mr. Martin* much affrighted at this rough Salutation, went immediately to the King, and told him what he had heard, and desired to know if it were done by his Authority? The King told him he was not the Author of any such thing; But my Barons (saith he) can scarce contain themselves from an Insurrection against Me, for that I have so long suffered your Depredations and Injuries in my Kingdom: Upon this Discourse with the King, he requested his Pass-port to be gone, which was readily granted, and for his greater Security the King sent with him *Robert Norris*, one of the Marshals of his Court, to conduct him to the Sea-side, and so embarking he went away, to the great Satisfaction of the Kingdom.

[5] But

[5] But I must not here omit a remarkable Passage in our Author, since it shews the Insolence and Haughty Temper of this Pope; for when this *Martin* return'd to him and complained of his harsh Usage here, the Pope remembering that not only King *Henry*, but the Kings of *France* and *Aragon* had lately refused him admittance into their Kingdoms, he presently bending his Brows, said to himself, (yet so loud that he might be heard) *Well, we must make Peace with the Head;* (meaning the Emperor) *That so we may humble these Rebellious Petty Princes; for the great Dragon being once pacified, the smaller Serpents will be easily trampled under Foot.*

But to return again to *England*: We may observe that this *English* roughness did more good, than all their Remonstrances to the Council of *Lyons*: [1] For when the Procurators of the Body of the Nobility of *England* before-named, had arrived there, Mr. *William Poweric* their Clerk or Secretary propounded the Grievances of the Kingdom of *England*, and on behalf of the said Body lamentably complained of the Tribute* injuriously imposed on the Kingdom by the Court of *Rome*, to which neither the Ancestors of the said Nobility, nor they themselves had ever consented, nor ever could consent; whereupon they desired Justice, and speedy Remedy; to which Complaint the Pope made no immediate Answer. Then *William Poweric* after a little Silence presented the Epistle itself, which declared at large the many Extortions made in *England* by the Legates and Nuntio's of the *Roman* Church.

[2] These Letters being publicly read, the Pope would return no positive Answer to them, for he said, That so weighty an Affair required great Deliberation; so the Answer was for that time deferred, though the Ambassadors pressed for a speedy One: Yet however, they then added one more Great and Important Grievance to all the rest; to wit, the Violent Oppression and Impudent Exaction, occasioned by that wicked Clause of *Non-obstante*, which was frequently inserted into the Pope's Bulls and Letters; which deserves our Notice, since the like Clause (though copied from the *Roman* Court) within some Years then following, crept into the King's Charters, as you will find hereafter.

But as for these Ambassadors above-mentioned, [3] when they had waited a great while at the Council to no purpose, they were at last fain to depart thence without any Satisfactory Answer; yet at length after their departure, I find in this [4] Author, (though under the next Year) that the Pope during this Council granted a Bull directed to all Patrons of Churches both Ecclesiastical and Secular, that they might freely present whom they pleased to the Benefices, in their Gift, without any Lett or Hinderance of himself or his Legates. [5] And also another, that upon the death of the Incumbent, being an *Italian* one of the same Nation should not immediately succeed: But these, as all other Privileges signified nothing by reason of the Bar of a *Non-obstante*; whenever he pleased to make use of it.

[1] However, these Ambassadors did not fail, before their departure, to make a solemn Oath or Protestation, that they would never pay, nor permit to be paid to the *Roman* See, that detestable Tribute granted by King *John*: But the Politick Pope passed by

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[5]
Id. p. 660.

[1]

Id. p. 666, 667.
The Procurators of the English Nobility at the Council of Lyons, represent their Grievances;

*i.e. The Tribute granted by K. John

Id. The Epistle in M. Paris.

[2]
Id. p. 668.

Especially that wicked Clause of *Non-obstante* in the Pope's Bulls.

[3]

Id. 10.
The Ambassadors not obtaining a Satisfactory Answer, leave the Council.

[4]
Id. p. 696.

[5]
Id. p. 697.

[1]
Id. p. 681.

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The Pope
makes the En-
glish Bishops
attest K. John's
Charter by
their Seals.

But the King
swears never
to pay that
Tribute.

and disssembled all these Things; yet was so far from giving up any thing, that he only waited for an Opportunity of acting more severely; and therefore to let the King see he would keep what he had got, he not long after sent to all the Bishops of *England*, streightly commanding them, that each of them should set his Seal to that Charter of Tribute which King *John* of unhappy Memory had long since granted, that being thus strengthened it might be the better perpetuated for Time to come; which these Timorous Bishops performed, to the Unspeakable Prejudice of the King and Kingdom, as well as Reproach of themselves. But when he had heard what they had done, he fell into a great Passion, and swore, That although the Bishops had thus basely Complied, yet he would stand firm for the Liberties of the Kingdom, and would never whilst he lived pay this Pension or Tribute any more. And without doubt he then meant to do, as he said; But alas! This Poor Prince had neither the Courage nor Constancy to set himself free; for not long after he return'd to his wonted Tameness and Submission; This (as also the Passage concerning *Non-obstante's*, when they first began) I thought fit to take notice of, being omitted by Doctor *Brady* in his Compleat History. But to return to Civil Affairs.

[1] 12. p. 660.
The K. summons all Military Tenants to attend him into *Wales*.

[2] 12. p. 682, 684.
The K. does not arrive there till August, but then the Welsh retreat to their Fastnesses.

The K. having only built a Castle on the Borders, returns home.

[4] 12. p. 701.
The Irish destroy the Isle of *Anglesey*.

[2] About the end of *June*, the King by his Letters summoned all the Earls, Barons, Knights, and others, who owed him Military Service, that they should prepare to attend him into *Wales*; since he, being no longer able to endure the Ravages and IncurSIONS of that Nation, was resolved forthwith to make an Expedition thither: In order to which the King not long after came to *St. Paul's Church*, and there civilly took leave of the Citizens, according to the Custom of that time.

[3] Yet notwithstanding all these great Preparations, the King did not reach *Wales* with his Army, till the beginning of *August*, upon whose arrival near *Shrewsbury*, the *Welshmen* retreated to their Mountains, Woods, and Fastnesses, and took their opportunity now and then to destroy some Parties of the *English*; so that all that the King did in near Two Months time, was, to build the Castle of *Ganoc*, which when he had finished, with great difficulty, and put a strong Garrison into it, the Winter now too fast approaching, he, first having destroyed all the Victuals and Forage upon the Borders, and in the most Inner parts of *Wales*, returned into *England* with his Army, presently after the Feast of *St. Simon and Jude*.

[4] This Summer also, the *Irish* by the King's Command landed in the Isle of *Anglesey*, (which was the Place of Refuge for the *Welsh*) and burnt and destroyed the whole Country. I have nothing further to note concerning this Expedition, but that the King then sent to *Maurice Fitz-Gerald* his Justiciary of *Ireland*, to pass over into *Wales* with some Forces to assist them; But he coming too late, though he had a fair Wind to transport his Men, was for this Neglect put out of his Office of Justiciary, and *John Fitz-Geoffrey* sent thither in his stead.

[5] No-

[5] Nothing else remarkable happened this Year in England, except the Death of *Walter* Earl of *Pembroke*, *Mareschal* of *England*, about the End of *November* or Beginning of *December*; and although his Brother *Anselme* (then *Dean* of *Salisbury*) succeeded him in his Honours, yet he dying without Issue three days before *Christmas*, the Noble Earldom of *Pembroke*, with a vast Estate in *England*, *Ireland*, and *Wales*, fell to be divided between his Five Sisters, who were married to divers great Noblemen of *England*.

Anno Dom.
MCCXLV.

[5]
Id. p. 686.
The Death of
Walter the
Earl-Mares-
chal, who is
succeeded by
Anselm his Bro-
ther, but he
dies not long
after.

Thus fail'd this Noble Family of *Strigul*, in the Third Generation, after it was raised to that Height by Earl *Richard* their Grandfather, the First *Englishman* who obtained the Kingdom of *Leinster* in *Ireland*, partly by Marriage, and partly by Sword, as you have already heard: but whoever is curious to enquire into the Cause of the sudden Failure of the Heir-Males of this House, may find it in our Author, who ascribes it to the Curse of an *Irish* Bishop upon Earl *William* their Father, for taking away some Lands belonging to his See, and upon his Son's refusing to restore them, he prayed that God would shew some remarkable Judgment upon his Family: But for this I do not give you my own, but the Author's Opinion.

Id. p. 687.

I shall here conclude with some Ecclesiastical Affairs, which have no dependance upon the Civil. [1] This Year the King began to pull down the old Abbey-Church at *Westminster*, and new build it in that Magnificent manner in which it remains to this Day, it being one of the most lofty Fabricks in *Europe* of the *Gothick* Model.

[1]
Id. p. 661.

The Pope having left *Italy* for fear of the Emperour, came the last Year to *Lyons*, where some time after, he Confirmed and then Consecrated *Boniface* of *Savoy* Archbishop of *Canterbury*, with his own hands, being a Prelate better skill'd in Matters of War, than those of Learning, having been promoted to this Dignity in respect to his High Birth, and near Relation to the Queen.

Id. 15.

Whilst the Pope continued at *Lyons*, he there held a pretended General Council, to which divers Bishops of *England* were summoned, some of whom went thither, but others excused themselves from this troublesome Journey, by reason of their publick Employments, or Old Age.

In this Council the Emperour *Frederick* was again Excommunicated, and Deposed, as far as the Pope and Council were able to do it; but the Emperour valued it not, for He kept the Crown-Imperial on his Head as long as he lived, in spite of his Holiness and all his Adherents: Here likewise many Decrees were made, which being only either for the Reformation of the Clergy, or Advancement of the Papal Power, I omit.

Id. p. 663.

[2] This being the Thirtieth Year of King *Henry's* Reign, he kept his *Christmas* at *London*, in the Company of his Queen and her Sister, the Queen of the *Romans*, with her Husband King *Richard*, many other of the Noblemen of the Kingdom being likewise present with him; where they enjoy'd and refresh'd themselves Cheerfully and Pleasantly, after the Hardships of the late *Welsh* Expedition; but before *Twelve-tide* the King received the ill News, that his Mother-in-Law, *Beatrice*, Countess of *Provence*, had contrary to her Promise

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[2]

Id. p. 691.

A great

Christmas kept

at *London*.

Anno Dom. MCCXLVI. Promise and Agreement, delivered up all that Country to the King of France, together with Sixteen Castles and their Territories, which King Henry was to have enjoyed as part of his Wife's Portion, and as his share of that Earldom; and for the fortifying and maintaining of which Castles, the King had expended for divers Years before no less than Four thousand Marks; This she did in consideration that Beatrice her Youngest Daughter should marry Charles Brother to King Lewis, as was some time after performed.

K. Henry received news that his Mother-in-Law the Countess of Provence had delivered all that Country to the K. of France.

But the French Historians more truly relate, That Raymond the last Earl of Provence left his Fourth Daughter Beatrice by his Testament sole Inheretrix of that Earldom, and that in her Right Charles Duke of Anjou became Earl of Provence, in which Family it continued for divers Generations.

[3]

Id. p. 695. David Pr. of Wales dies.

[3] In the beginning of the Spring, David Prince of North-Wales, the King's Nephew, deceased, in the Sixth Year of his Reign, who dying without Issue, the Lords and Barons of Wales

[4]

Vid. Dr. P.'s Chron. p. 314.

The Welsh Nobility Elect Llewellyn and Owen Princes of Wales.

([4] passing by Gladys his Sister and Heir, because she was married to the Lord Roger Mortimer an English-man) at a Great Council of their Nobility Elected Llewellyn and Goche his Brother, Base Sons to Gryffith (Brother of David) Princes of Wales: Which shews that the Welsh Nobility at that time thought their Princes to be Elective, and that they could alter whenever they pleased the Common Course of Succession. But to return to England:

[5]

M.P. p. 693. The City of London made to pay a Ransom of 1000 Marks.

[5] About the same time the Citizens of London, though they thought themselves secure under the King's Clemency and Protection, were yet made to pay a Ransom of a Thousand Marks, to their great Damage and Impoverishment.

[1]

Id. p. 691. Severe Laws made against Robbers of Parks and Warrens.

[1] This Year also in a Parliament at London, divers severe Laws were made against such as Robbed Parks and Warrens, for which I refer you to the Laws of this King, set down at the end of his Reign, and also to the Author's * Addittaments, at the end of his History.

[2]

Id. p. 698. The Parliament again assembled, and the Pope's Oppressions again represented.

[2] On Mid-Lent Sunday the same Parliament of the whole Kingdom met at London according to Summons, where the King conferred with the Bishops a-part, the Earls and Barons a-part, as also the Abbots and Priors a-part, concerning the means how to redress the Grievances of the Nation, proceeding from the Exorbitancies of the Roman Court; which were these that follow:

[3]

Id. p. 699. A Catalogue of those Grievances.

[3] First, That the Pope, not content with the Payment of Peter-Pence, oppressed the Kingdom, by extorting from the Clergy great Contributions without the King's Consent, against the ancient Customs, Liberties, and Rights of the Kingdom, and against the Appeal of the Procurators of the King and Kingdom in the General Council of Lyons.

[2]

Id. p. 699. A Catalogue of those Grievances.

Secondly, The Church and Kingdom were oppressed, in that the Patrons of Churches could not present fit Persons to them, because they were given by the Pope's Letters to Romans (i. e. Italians) who understood not the English Language, and carried the Money out of the Kingdom, to the great Impoverishing of it.

The Nation was oppressed by the Pope's Exactions of Anno Domini.

Finally, The Church and Nation suffered, for that *Italians* succeeded *Italians*, and the *English* were forced to prosecute their Right of the Kingdom against both Customs and written Laws, and therefore against the Indulgences of the Pope's Predecessors granted to the King and Kingdom of *England*.

Fifthly, The Church and Nation infinitely suffered, by reason of the above-mentioned Clause of *Nullitate*, which weakened and suppressed all other Customs, written ancient Laws, Grants, Statutes, and Privileges whatsoever.

Secondly, The Church and Kingdom suffered, for that in the Parishes where the *Italians* were Beneficed, there were no Alms, no Hospitality, no Preaching, no Divine Service, no Care of Souls, nor Reparations done to Parsonage Houses.

[4] The Refusal of the Conferences upon these Grievances, was, That they should all again supplicate the Pope by Letters to remove this intolerable and insupportable Yoke: In pursuance of which, [5] the King wrote by himself, the Bishops by themselves, the Abbots by themselves, and the Earl and Barons with the Nobles and other Great Men, and the Inhabitants of the Sea-Ports, by themselves, and that in the Name of the whole Clergy and Laity of England, as appears by each of their particular Letters exhorting [6] *Mat. Paris*; all filled with loud Complaints against those oppressions, with their earnest Desires that he would remove them, so that they should be forced to make use of other Methods to save themselves.

of 29] But notwithstanding these just Complaints, the Pope, a little before the Dissolution of the Council of *Lyons*, caused the *English* Bishops to put their Seals to the Charter of King *John*, above-mentioned; And though *Fulk* Bishop of *London* was very unwilling to do it, yet at last he suffered himself to be overcome by Fear: The Bishops at the same time also signed an Instrument approving the late Deposition of *Frederick* the Emperor by the Pope; [3] And not yet content with this (to the great Prejudice of the King and Kingdom) he sent his Apostolick Commands to the Bishops, that some of them should have Fifteen, others Ten, and others Five stout and Brave Men, well Horsed and Armed for one Year, as the Pope should direct; and lest the King should make any Provision against this Exaction, the Bishops were commanded not to deliver it under pain of *Excommunication*.

And not satisfied with this, [4] the Pope now also claimed the Administration of the Goods of all Clergy-men dying Intestate, and committed the execution of this Decree to the *Minors* and *Peachers*; which nevertheless the King prohibited, because he thought it would tend to the Damage and Impoverishment of his Kingdom: But this Decree being very unreasonable, the Pope himself, by the Mediation of the Cardinals was forced to revoke it.

[5] To redress these great Grievances and Exactions of the Pope, [5] *Id. p. 706.*
William Poweric and *Henry de la Mare* were sent to *Rome* by Common Other Am-
 Consent of the King, Bishops, Earls, and Barons; but in the mean bassadors are
 time the Pope exacted a fresh Talliage by the Bishops of *Winchester*, sent against
 these Gri-
London, vances:

Anna Dom. London, and others (whom he had appointed his Collectors) which so exasperated the King, that he wrote Two Letters to the Bishops and other Prelates, in the First of which he commanded them not to pay the said Tallage, as they hoped to keep their Provinces which they held of him, and in the [1] Second, (when he found the former not to be observed,) he reproved them for not obeying his Letters or Writs both Patent and Close, by which he had commanded them not to pay any Aid or Tallage to the Pope; And in that same Letter he again commanded them not to comply with any of his Exactions, contrary to the Provisions made by themselves, and other Prelates, with the Earls and Barons in the late Council at London, nor to do any thing farther in the same, till the return of the Messengers from Rome.

[2] On the Seventh of July, there was a great Council holden at Winchester of the King and Noblemen of the Kingdom, about the Desolation of the Church, for William de Poyric and Henry de la Mare, that had been lately sent to the Court of Rome, were by this time returned, bringing back no hopes of any Moderation from the Pope, concerning the Oppressions of the Kingdom and Church of England, of which they had complained; for he continued resolute in his Demands; which so incensed the King, that he commanded Proclamation to be made in all Towns, Markets, and Publick Places, that no Man of the Kingdom should consent to any Contribution to the Pope, or send him any Aid: But when his Holiness heard of it, he wrote sharply to the Prelates, charging them under pain of Excommunication and Suspension to pay in the Money he had imposed, to his Nuncio at the New Temple at London; and whereas the King was firmly resolved to defend the Freedom of the Church and Kingdom, he at last, by the Threats and Persuasions of his Brother Earl Richard (who then sided with the Pope) and some of the Bishops, but especially of the Bishop of Worcester, who (as it was said) had Power to Interdict the Nation, submitted, and gave up the Cause; so that this Contribution was paid: And thus all the Endeavours and Hopes of maintaining the Freedom of the English Church and Kingdom came to nothing.

[3] Upon this the Pope, taking great Confidence from what he had already done, Commanded more rigorously than he was wont to do, That all Beneficed Clerks that resided upon their Livings, should pay him a Third Part of their Goods; and such as did not reside on them, to pay one Half; and he appointed the Bishop of London to execute this Project: He with some others met at St. Paul's to consider of this Matter, to whom the King sent John de Lexington a Knight, and Laurence of St. Martin a Clerk, on the Eighth of December, prohibiting them to consent to that Contribution; whereupon they broke up their Meeting, to the great Satisfaction of all

[4] such as were called before them: If any Man think it worth his Labour to peruse the Answer of the Clergy to this unreasonable Exaction, he may see it in *Matt. Paris*. [4] About this time the Bishop of Lincoln, at the Instigation of the Friars Preachers, and Friars Minors, made very severe Inquisitions by his Archdeacons and Rural Deans, concerning the Continency and Manners both of Noble and ignoble Persons, to their great

Yet fresh Tallages are imposed on the Bishops by the Pope;

Which the King forbids to be paid.

[1] *Id. p. 708.*

Id. p. 709.
A Council at Winchester, where the King again consults with the Great Men about the Desolation of the Church and Kingdom.

The King incensed by the Pope's Exactions, issues a Proclamation, that no Man should pay any Money to the Pope.

Yet at last, by the Threats of his Brother and some of the Bishops, the King is forced to yield to those Exactions.

[3] *Id. p. 716.*
Whereupon the Pope exacts great Tallages from all the Beneficed Clergy.

[4] The B. of Lincoln makes severe Inquisitions into the Lives and Manners of the Laity, which is complained of, and strictly forbidden.

great Scandal, and the blasting of their Reputations. The King hearing the grievous Complaints of his People concerning these Proceedings, by the Advice of his Court, sent his Writ to the Sheriff of *Hertfordshire*, commanding him, That as he loved himself and all he had, he should not permit any Lay-man of his Bialt-wick for the future to meet in any place, to make Inquisitions or Attestations upon Oath at the pleasure of the Bishop of *Lincoln's*, Archdeacons, or Rural Deans, unless in Matrimonial and Testamentary Causes. This deserves our notice, since it shews the Antiquity of the King's Prerogative to grant Prohibitions to hinder the Proceedings of Bishops when they medled with what did not belong to them.

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MCCXLVI

The K.'s ancient Prerogative to grant Prohibitions.

This Year being chiefly taken up in setting forth the Grievances and Oppressions of the Pope, affords us little of Civil Affairs; [5] only that Queen *Isabel* the King's Mother, and Wife to the Earl of *March* (her first Lover) died in *France*, being a Lady of no very good Humour or Reputation, by what our Historians mention concerning her: Also many other Persons of great Note deceased this Year, for whose Names I refer the Reader to my Author.

[5]
Id. p. 716.
The Death of Q. Isabel the K.'s Mother.

Also some time this Year * *Hugh Bigot* Earl of *Norfolk*, after frequent Sollicitation, was, in right of his Lady *Maud*, Eldest Daughter of *William* the *Mareschal* Earl of *Pembroke*, made *Mareschal* of *England*; but this Great Office remained not long in that Family, as you will see hereafter in the next Volume.

Id. 705.

[1] This Year King *Henry*, with many of his Great Men, kept his *Christmas* at *Winchester*, where he was the Day after splendidly entertained by the Bishop of that Place; by which the King signified that he had forgotten all former Offences, and in the presence of the whole Court received the Bishop into Favour.

Anno Dom.
MCCXLVII.
[1]

About the same time the King summoned his Great Men with the Prelates and Archdeacons of *England* to him at *London*, to consider how the Contributions exacted by the Pope should be raised; but at the Day appointed, all the Bishops absented themselves on purpose, that so they might not appear openly to oppose the Pope's Desires.

Id. p. 719.
The K. reconciled to the Bp. of Winchester. A Council again summoned to prevent the Pope's Exactions. The Bishops absented themselves on purpose.

[2] Yet these continual Exactions of the Pope's Legates and Collectors, opened every one's mouth against him, but especially in *France*, where they did not spare his Holiness, but loaded him with bitter Reproaches for the Extortion and Rapine, that was practised by his Ministers; [3] insomuch that the Great Men of that Kingdom decreed, and by Oath established, That no Clerk or Laick for the future should compel any one to appear before the Ordinary, or his Ecclesiastical Judge or Delegate, unless upon the account of *Heresie*, *Matrimony*, or *Usury*, upon Forfeiture of all his Goods, and loss of one of his Members. This Resolution of the *French* very much chagrin'd the Pope, so that he endeavoured by all means to soften them into a Compliance; wherefore he bestowed many Ecclesiastical Benefices among their Relations, giving them licence to obtain more, with other Indulgences; and besides,

[2]
Id. ib.
[3]
Id. p. 726.
The Great Men of France take an Oath, that no Clerk or Laick should for the future appear before Ecclesiastical Judges, unless for Spiritual Causes.

Anno Dom. MCCXLVII. he was bountiful in his Gifts among the Noblemen of that Kingdom, which brought many over to him from their former Resolution.

[4]
Id. it.
The Parliament meet again at London.

Where the Archdeacons and Inferior Clergy make great Complaints against the Pope's Exactions. They again agree to write Letters to the Pope, setting forth their Grievances.

[5]
Id. p. 721.
The Contents of their Letter to the Pope.

[1]
Id. ib.
The Contents of those to the Cardinals.

[2]
Id. p. 722.
The Pope grants the King a plausible but insignificant Privilege.

Many Foreign Ladies are brought over to be Married to the King's Wards.

[4] The Day after *Candlemas* the Parliament met again at London, where the King was informed that the King of France had a Design upon *Gascoigny*; and he was sensible that it would not only be a Dishonour, but a great Prejudice to him to suffer it to be lost, seeing he received yearly from *Bordeaux* alone a Thousand Marks. When the Archdeacons and a great part of the Inferior Clergy of the whole Kingdom met the Great Men there, they complained of the Pope's frequent and intolerable Exactions, affirming to the King, That if these Men were suffered, his Kingdom would be endangered, and both Laity and Clergy would be ruined by a Desolation unknown to former Times. Upon this it was resolved, That some other discreet Messengers should be sent to the Court of Rome, with Letters both to the Pope and Cardinals, on behalf of the Community of the whole Clergy and Laity of the Realm, setting forth their Grievances and Oppressions.

[5] The Contents of that to the Pope, were, 'A Profession of their readiness to obey his Holiness; but to desire his Pardon, if they could not then comply with his Demands; for although their Country yielded plenty of Fruits for the Nourishment of its Inhabitants, yet it afforded no Money, neither was it sufficient to supply what was demanded; for their King's Necessity required what they could spare towards the Defence of his own Dominions against the Assaults of his Enemies; and concluded, that any further Burthens would prove insupportable to them.

[1] Their Letter to the Cardinals was to this effect; They first gave them an Abstract of their Grievances, and what they had contributed since the last *Lateran Council*; first, a Twentieth part for Three Years for an Aid to the *Holy Land*; then a Tenth to the Pope; afterward several other Payments for different Uses, at the Command of the Apostolick See: And then they urged the great Necessity and Wants their own King lay under, whom they were bound to assist as their Temporal Lord; and that they themselves were now reduced to such Penury and Want, that if all they had were exposed to Sale, it would not be sufficient to answer what was demanded of them: Wherefore they humbly beseeched them fairly to present their Condition to the Pope, and endeavour to divert not only his Thoughts but his Councils and Instruments from such grievous Oppressions.

[2] About the same time the Pope granted to King Henry a plausible but yet a deceitful Privilege, That no Italian or Nephew of his own or the Cardinals, should henceforward be sent into England to be Beneficed, unless he or his Cardinals should first ask and obtain Leave of the King to have him provided for, which the Pope knew could be easily got whenever they pleased. Before the Council was ended, Peter of Savoy Earl of Richmond came to the Court at London, and brought with him several Young Ladies from his own Country, to be Married to the Young Noblemen that were the King's Wards, which thing much disgusted his own Native Subjects.

[3] This

[3] This Year also *John* and *Alexander* Two Friers *Minors*, Englishmen by Birth, were sent from the Pope with his Authority, to be Collectors (or rather Exactors) of his Money in *England*, pretending to ask Charity only, and to use no Force; and by this means they obtained the King's Licence to come over; but they were no sooner here, but they went to the Chief Prelates, and very faintly required of them Money for the Pope's use; and sometimes demanded Twenty Shillings for a Procuration, which was to be paid without delay; if not, they produced the Pope's Thundering Letters to afright and constrain them to it. When they came to the Bishop of *Lincoln*, who was a great Admirer of that Order, he stood amazed at their Habit (which was more Soldier-like than Religious) but yet when they had showed him the Pope's Letters, and demanded of him Six thousand Marks to be forthwith paid out of his Bishoprick, he answered with great Grief of Heart, That such Exactions were never heard of before, and were very unjust, because it was impossible to answer them; And seeing it concerned the whole Body of the Clergy and Laity of the Kingdom, he could give them no answer in such a difficult Affair, until he had first consulted the Community of the said Kingdom. Upon this they parted from him, and went to *St. Albans*, and demanded of the Abbot there Four hundred Marks, to be paid to them for the Pope's use; but they received much the same answer from him as they had before from the Bishop of *Lincoln*.

[4] About the same time the Pope, by the like Messengers, the Friers *Preachers* and *Minors*, sent to all the Chief Prelates in *France*, and desired them to lend him Money according to every one's Ability, and whatsoever they lent should be repaid them without fail, when he was able; but as soon as this was known to the King of *France*, he prohibited them under pain of forfeiting all their Goods from lending such Sums, lest thereby his own Kingdom should be impoverished.

[5] This Year one *Gadafid*, Son to the Prefect of *Rome*, was sent Legate into *England*, although there was no occasion for any such, and Master *John Rufus* into *Ireland* instead of a Legate, that he might thereby elude the Privilege lately granted to King *Henry*, who so well managed his Master the Pope's Business there, that he extorted from them Six thousand Marks, which Sum was conveyed to *London* by certain Religious Persons (or Friars) and paid into the Pope's Treasury.

[1] The same Year King *Henry* followed the Example of the Great Men of *France*, who by their King's Consent and Approbation had lately entered into a Confederacy, and made a strict Decree against the insatiable Avarice and Oppression of the Court of *Rome*; and that the like Exactions and Extortions might for the future be prevented here, the King now ordained that these following Orders should be inviolably observed throughout *England*. First, That no Laick should bring any Case before an Ecclesiastical Judge, unless it concerned a Marriage or Testament. Secondly, The King likewise prescribed the Bishops a certain Form, whereby to proceed in Cases of Bastardy, viz, to enquire whether they were born before or after Matrimony. Thirdly, That Clerks were pro-

Anna Dom.
MOCHLVII

Two Friers
Minor coming
into England
under pre-
tence to ask
Charity,
prove very
sawey in their
Demands for
the Pope's
The Pope
at their Com-
mande, and
nied to con-
tribute any
thing. A
tendants to
appeal, but
finds the Re-
medy worse
than the Dis-
ease

[4]
11. p. 723.
The Pope
cries the same
Trick in
France, but
that K. com-
mands his
Clergy not to
lend any Mo-
ney.

[5]
Id. ib.
A new Legate
sent into Eng-
land, without
any just oc-
casion.

[1]
The R. in
imitation of
the Kingdom
of *France*, if
summat Qw
dery that no
Lay-men or
should appear
before an Ec-
clesiastical
Judge, unless
for Ecclesia-
stical Causes.

Anno Domini **MCCXLVIII** *With other good Regulations of the Spiritual Courts.* inhibited by the King's Writ to commence any Action for Tythes before an Ecclesiastical Judge, by the Writ called *Indicavit*. Fourthly, That an Oath should be administered to Clerks by the King's Justices, to discover whether they had proceeded in any case contrary to the King's Prohibition, whereas before they were not bound to swear but before an Ecclesiastical Judge in Spiritual Causes. Fifthly, Also concerning Clerks being taken by the King's Officers for Crimes laid to their Charge by Laicks upon Common Fame.

[2] In the beginning of *Lent*, the fore-mentioned *John* the Monk again demanded of the Abbey of *St. Albans* Four hundred Marks by virtue of his Authority, and cited the Abbot to appear at *London* Three days after, either in Person, or by his Proxy, to satisfy the Pope's late Demands. The Abbot hereupon sent his Archdeacon to appear for him at the Day appointed; who after he had demanded, and with difficulty obtained a Copy of the Brief, answered, That the Abbot designed to send special Messengers to *Rome* to acquaint the Pope with these Grievances, and for Remedy appealed to him, because both the Abbot and Convent thought they should meet with more Favour from his Holiness than they would expect from him. But *John*, to be revenged on the Abbot, wrote Letters to the Pope, containing great Complaints against him; wherefore when his Messengers came to *Lyons* (where the Pope then resided) they were very coldly received, and met with great Difficulties and some Checks; as namely, that they did not give that Respect, and pay that Reverence which was due to the Pope's Nuncio; and that their Abbot was the only Person amongst all the Abbots of *England*, who refused to yield Obedience to his Commands. But when they saw how they were treated, and that there was no Remedy to be expected, they compounded for Two hundred Marks, and their Expences amounted to One hundred more. But when *Frier John* saw the Clergy (especially the Abbots) so unwilling to yield to his Demands, he wrote to the Pope to have his Power enlarged: The Pope's Answer, together with the Letters of his additional Powers, *see in Additament to Matt. Park* p. 33, 166.

[3] About the same time the King finding the State of his Realm still more endangered and impoverished by these Papal Exactions, and the Money carried out of his Kingdom without any Advantage either to Church or State, summoned the whole Nobility of the Kingdom to meet at *Oxford* to consult about it; but the Prelates in a more especial manner, that they might consider how the Church should be relieved from those Oppressions it now lay under; and although some of the Prelates had resolved to refuse the aforesaid Contributions, yet their Hearts failing them when they met, they, contrary to all Expectation, consented to a Contribution to the Pope of Eleven thousand Marks; and the Clergy were constrained to pay it into the hands of the Bishops of *Winchester* and *Monmouth*; and such as refused were wearied into a Compliance, by the Troubles and Damages they sustained from *Frier John* the Monk. Nor did the Abbot of *St. Albans* fare one jot the better, for all he had sent the Pope Four score Marks the Year before;

before; and they had now great reason to fear, lest by a private and mutual Agreement between the Pope and the King, both the Church and State should be exposed to the like Exactions, since the Pope had wrote not long since to the Great Men of England to promote their giving Money to the King.

[4] This Year (being almost wholly taken up with these Contentions between the Pope and Temporal Princes) affords very little of Civil concerns at Home, only that Baldwin, the Titular Emperor of Constantinople, being driven from thence by the Greeks, came into England to sollicite for Relief, yet he found here no very great effects of it.

[5] Not long after this, Guy de Lusignan, William de Valence, and Athelmar a Clerk, all Three Sons to Hugh le Brun, Earl of Marche, (and the King's Half-Brethren by his Mother Queen Isabel) came into England to make their Fortunes, where William, the Second Brother, being not long after Knighted, married Joane Daugh-ter of Guarin de Montgenest, and was some Years after, in her Right, made Earl of Pembroke; and the King did all he could to Enrich them, though to his own great Disadvantage and Detriment.

[1] Also the Sterling-Money of England was now so very much defaced by Clippers, that not only all the Letters thereof were cut away, but they scarce spared the Inner-Ring; whereupon the King's Council began diligently to examine and consider of a Remedy to prevent it for the future; and it then seem'd convenient in divers Prudent Mens Judgments, rather to change the Matter, than the Form of it, since by reason of that, rather than this, the Money had suffered so great a Diminution: But what was done in this Affair, you will find under the following Year.

As for the Foreign Affairs of this Year, [2] the Day after Michaelmas some of the Princes of Germany, to whom the Right of Election belonged, met, and chose William Earl of Holland, a Young Nobleman of about Twenty Years of Age, King of the Romans; the Romans.

[3] but it was by the Procurement and Recommendation of the Pope who had privately sent him a great deal of Money to make War against the Emperour Frederick, that had been before deposed in the Council of Lyons; yet for all this he could not be deprived, but made War against the Pope though with various Successes.

[4] Richard Earl of Cornwall went this Autumn into France, to demand his Right of that King, before he undertook his Voyage to the Holy-Land, but return'd from thence towards the End of October, without obtaining any thing from him, though he was willing in himself to do Justice; but yet he was kept from it by the powerful Persuasions of his Great Men and Counsellors, who were the Earl's Enemies.

[5] King Henry's Ambassadors also at the same time made a fresh Demand of Normandy, but all the Answer they could get, was, That the King of France had been now in the quiet Possession of it for Forty Years: But this being no Satisfactory Answer, the King referred it to the Bishops of Normandy; who thereupon gave their Opinions, That the French King had most Right to it, because King John had undergone the Judgment of his Peers; But to this our

Author

Ann. Dom. MCCCXVII Author answers very well, That that King ought not to be Judged by his declared Enemies, neither should the Son suffer for the Iniquity of his Father.

Ann. Dom. MCCCXVIII

This Year King Henry kept his Christmas at Winchester, with many of his Great Men; [1] Soon after which, he summoned the Nobility of the whole Kingdom of England to meet him at London eight days after Candlemas, where (besides a great number of Barons, Knights, and Noblemen, as also Abbots, Priors, and Clerks,) there appeared nine Bishops, and as many Earls; of the former were these, the Archbishop of York, and Bishops of Winchester, Lincoln, Norwich, Worcester, Chichester, Ely, Rochester, and Carlisle; of the latter, Earl Richard, the Earls of Gloucester, Leicester, Winchester, Hereford, Oxford, and Roger Bigot, (now Earl-Marshal) with the Earls of Lincoln, Ferrers, Warren, and Richmond; but the Archbishop of Canterbury was then beyond Sea, the Bishop of Durham in firm, and the Bishop of Bath lately dead. When they were assembled, the King required of them a pecuniary Aid; but they reproved him for asking it without Blushing, (as our Monk bluntly expresses it) seeing when they granted the last, he promised by his Charter, That he would not any more burthen his Great Men. Moreover they blamed him for his repeated Kindness and Liberality to Foreigners, and Contempt of his Native Subjects, for not Encouraging the Trade of his own Kingdom, and in taking and enacting unreasonable Gifts from Merchants. And lastly, For keeping Bishops, Priests, and Abbays void in his own Hand: To these they added, That neither the Justiciary, Chancellor, nor Treasurer, were made by the Common-Council of the Kingdom, as they were in his Predecessor's Reign.

[2]

Now when the King heard these things, he seemed somewhat out of Countenance, and promised, That what was amiss should be speedily amended; to which the Whole Body of them replied, That as they had often, so they would now patiently wait a while, and see whether he intended as he spake, and according as he performed his Promise, so would they their Obedience to him in all things: Upon which, the farther Consideration of this Affair was put off till Fifteen days after Midsummer; but in the meantime the King's Heart became hardened, and so exasperated against his Subjects, that he took no care to correct those Excesses, according to the Promise he had so newly made them.

[3]

At the Day appointed the Nobility of all England met again at London, and the King made them a Speech to this Effect, That they had not treated him very Civilly, but would impose mean and servile Conditions on him; and that which every one of them in private thought to be his Right, was yet denied Him, even that Authority which every Master exercised in his own Family, who might use whole and what Counsel he pleased, and put out what he thought fit in his own House, but this he says He, You deny your King; and as Servants ought not to Judge or impose any Difficulty upon their Lords, so neither might Vassals on their Princes; and therefore he was resolved, neither to remove

the Chancellor, Justiciary, nor Treasurer at their Pleasure : But as to the other Proposals, though Beneficial to the Kingdom, he gave dilatory Answers, and then added, That he expected from them a Pecuniary Aid for the Defence and Recovery of his Rights beyond the Seas, (which also was their own concern;) but they all Unanimously replied, That they would no longer impoverish themselves to enrich Strangers, as they had formerly done, when they gave Money towards his last Expedition to *Gascoigny* and *Poitou*.

Anno Domini MCCMLVIII

And tells them he would remove none of his Officers at their Pleasure. Yet obtains nothing from them thereby:

Whereupon the Parliament was Dissolved in great disorder, without any Benefit or Satisfaction either to the King or themselves : Inasmuch that the King was thereby reduced to very great necessities, [4] which forced him to expose to sale his Jewels, Plate, and other Household Utensils; and such Vessels as were curiously wrought and gilded, were sold, not according to their Value, but Weight. But as the King was enquiring where he should find Buyers, upon some Body's answering in *London*, He replied, *If the Treasury of Octavian* (meaning, I suppose, *Augustus*) *were to be sold, on my Conscience the City of London were able to purchase it;* and then added to this Effect, *These ill-bred Citizens, who call themselves Barons, abound in all things, and are indeed an inexhaustible Magazine of Treasure;* from which time the King resolved to take the first Opportunity to spoil them of their Goods.

The Parliament is Dissolved in great disorder.

[4] *Id. p. 794.* The K. sells his Plate and Jewels for ready Money to the Citizens, but owes them a Grudge for it.

[5] This Year also (though our Author has not given us the Day) all Clipt and Light Money was called in, and forbad to be paid or received, by Proclamation; and diligent Inquisition was made to find out these Falsifiers and Corrupters of the Coin, and upon strict search the *Jews*, the *Coursini*, or *Italian* Usurers, as also the Wooll-Merchants of *Flanders*, were all found guilty of this Crime.

[5] *Id. p. 747.* All Clipped Money is called in, and the Clippers enquired after, and found.

[1] But this sudden calling in the Money did very much impoverish the People, for Exchange of Money was used but in very few Cities; and when they came thither, besides the Loss in Weight, they were fain to allow Thirteen Pence in the Pound for the bare Coinage; so that besides the Labour and loss of Time, the People received scarce Twenty Shillings of New Money for the Old they parted with : But as for the New Coin, it differ'd nothing from the Old in Figure, only that the Cross now passed through the very Letters in the outward Rim. I have taken notice of this, to let the Reader observe, That no Alteration of Coin was ever made without great Loss to the Nation.

[1] *Id. p. 748.* The People suffer great Loss by the Alteration of the Coin.

[2] This Year on the Thirteenth of *October*, the King with many Prelates and Great Men met at *London*, to celebrate the Feast of the Translation of *St. Edward*, and caused a new Fair to be proclaimed at *Westminster*, to continue for Fifteen Days, and prohibited all other Fairs that used to be kept at that time of the Year, throughout *England*; and also all Trading in the City of *London* within doors and without, during that time, that so this Fair at *Westminster* might be the more plentifully stored and frequented with all sorts of People and Commodities; which Oppression highly incensed the City at that time.

[2] *Id. p. 751.* A new Fair proclaimed at Westminster; during which no Trading was to be in London.

But

Anno Dom.

MCCXLVIII

[3]

Id. p. 754.

Several fresh

Instances of

the Pope's

Oppressions.

But as for Ecclesiastical Affairs, [3] the Pope continued his wonted Extortions from, and Oppressions of the *English* Nation, and again sent his *Italians* to be without delay beneficed in *England*, one of whom going to the Abbot of *Abbindon* to be provided for, made choice of the Church of *St. Hellens* in the same Town, worth one hundred Marks *per Annum*; but the same day it became void the King sent his Mandate to the Abbot, to confer it upon *Ethelmar* his Half-Brother, and that the King would protect and indemnify him in so doing, whereupon the Abbot yielded to the King's Command; after which, on the Complaint of this *Italian*, the Pope cited the Old Abbot to appear before him at *Rome*, and then he being deserted by the King, was constrained to take that wearisome and tedious Journey, where, after many Difficulties and Expences, he was at last forced to compound for Fifty Marks.

In Foreign Parts, that which happened worth taking notice of this Year, was, [4] That *Lewis* King of *France*, having long before undertaken the *Crusado*, in *Autumn* began his Voyage for the *Holy-Land*; and passing by *Lyons*, he there took his Leave of the Pope, and so going on to *Marseilles*, he Embarked there as many of his Army as he could carry along with him; the rest being left behind for another Opportunity.

[5] Also in *Germany*, *Conrade*, Son to the Emperor *Frederick*, marching with his Forces to the Relief of *Aix la Chapelle*, then besieged by the Pope's Legate, and the Great Men of *Germany*, that Prince's Army was routed, and the City thereupon surrender'd to Mercy; in which not long after *William* Earl of *Holland* was crown'd Emperor (according to Custom) by *Conrade*, Archbishop of *Cologne*, few of the Temporal Electors being present.

Anno Dom.

MCCXLIX.

[1]

Id. p. 757, 758.

The K. re-

quires large

New Years-

Gifts of the

Citizens;

besides sends

to divers of

them to bor-

row Money.

And to sever-

al Great Men

and Prelates.

But receives

nothing but

Excuses and

Denials, unless

from the Ab-

bot of *St. Al-**bans*.

[2]

Id. p. 759.

[1] This Year the King kept his *Christmas* at *London*, and required of the Citizens large New-Years Gifts; and not being content with this, he some time after sent to the same Persons to supply him with Money: This Message they received with heavy Hearts, and complained, That the Liberties of the City which were so often Bought, Granted and Sworn to, could not protect them from being treated as Slaves: So at length (though not without great reluctancy) they were constrained to pay Two thousand Pounds; but this would not satisfy the King's wants, therefore he was forced to apply himself to his Great Men one by one, and requested them to lend him Money, both to supply his Necessities, and pay his Debts, and also to Enable him to recover those Rights which the King of *France* had invaded; and then in a most submissive manner made his urgent Necessities known to the Prelates and Abbots, begging of them either to give, or lend him such a Sum of Money, yet could obtain nothing but Excuses and Denials, unless from the Abbot of *St. Albans*, from whom he received Sixty Marks. [2] This encouraged the King to hope for the like Success from other Abbots and Priors, and accordingly he wrote to those of *Essex* and *Hertfordshire*, to lend him Money for his present Necessities; and at the end added his Promise faithfully to repay the same.

[3] The

[3] The Pretence for borrowing this Money, was, That the Truce between himself and the King of France being now almost expired, he should be at great Charges to recover his lost Rights beyond the Seas; whereas indeed he durst not undertake any such Enterprize, the Pope having by his *Nuncio* lately forbid him, (though privately) under pain of *Excommunication* to disturb any of the King of France's Territories, during his absence in the *Holy War*; but the true Reason was, That the King, during his last Expedition in *Poitou*, had so deeply run in Debt to the People of those Parts, that all the Money he could by any means take up, or extort in *England*, would not serve to discharge those Obligations.

This Year [4] *Nicholas* Bishop of *Durham*, being sensible of his great Age and Infirmities, resigned his Bishoprick, and withdrew himself from all Publick Affairs to a Private Life; whereupon the King recommended *Ethelmar* his Half-Brother to the Convent, and by Messengers and repeated Intreaties would fain have persuaded them to chuse him for their Bishop: But they replied, That at his Coronation he had sworn to Preserve the Church's Liberties, and that the Person recommended was neither of sufficient Age, nor Learning for so great a Charge: [5] The King answered, *Then he would keep the Bishoprick eight or nine Years in his own Hands, and by that time he would be capable of it.*

[1] This Year in June, *Simon Montfort* Earl of *Leicester* (although he had a little before undertaken the *Crusado*) went over into *Gascogne*, and subdued all that were in Rebellion against King *Henry*, and in every thing behaved himself with such Fidelity and Courage, that he gained the Applause of all the King's Friends, and the Name of a Worthy Patriot: Also a little after, on the Third of July, died *Alexander II.* King of *Scotland*, a Prince of great Virtue and Wisdom, leaving his Son *Alexander*, a Child of about Eight Years old, to succeed him.

There happened nothing else this Year worth the noting, [2] but that two Merchants of *Brabant* were robbed near *Winchester* of Two hundred Marks, and not being able to obtain Justice from the Countrey against some that were foully suspected of it, but instead of being found Guilty were acquitted by the Oath of their Compurgators; wherefore these Merchants came to the King who was then at that City, grievously complaining of the Injury and Injustice that had been done them; at which he being much incensed, called before him the Bailiffs and Freemen of *Hampshire*, charging them to find out and discover these Malefactors; and this was also enforced by the Bishops denouncing all those *Excommunicated*, who were any ways concerned in this Robbery. Now for the discovery of this, there were chosen a Jury of Twelve Men out of *Winchester*, and the County adjacent, to enquire in Particular concerning these Offenders: But this Inquest refusing to discover them, and pretending Ignorance who they were, this their Dishonesty and Remissness so provoked the King, that he commanded them to be clapt up in Prison, and another Inquest to be summoned out of the same Places; and these being afraid of the like Usage as the former had met with, if they offered to conceal any of those they knew to be Offenders, revealed and impeached a great many Men

Anno Dom.
MCCCLIX.

[3] *Id. ib.*
The K's Pretences for borrowing of Money were to recover his Rights in Fr.

But indeed were for another end.

[4] *Id. ib.*
Nicholas Bp of *Durham* resigning his Bishoprick, the K. recommends *Ethelmar* his Half-Brother to be *Elected*, but is refused.

[5] *Id. p. 760.*

[1] *Id. p. 667.*
Simon Montfort goes over into *Gascogne*, and subdues the Rebels there.

Alexander K. of *Scots* dies.

[2] *Id. ib.*
The robbing of two Merchants of *Brabant*.

The Robbers are enquired into, and willfully concealed by the Jury.

Whereupon the K. causes another to be summoned, who impeach a great many Persons of Note.

Anno Dom.
MCCCLIX.
Some of the
K's own Ser-
vants being
also Convi-
cted.

About Thirty
of the Ring-
leaders are ex-
ecuted.

of good Substance and Reputation dwelling about *Southampton* and *Taunton*, and to some of whom the King had committed the Bailiwick or Charge of the County for the Apprehending of Robbers: Also some of the King's own Servants and Cross-Bow-men, were Accused, Convicted, and Executed, who at the Gallows confessed themselves Guilty; yet excused themselves, by alledging, That the King had for a long time stopt their Wages, so that having nothing to live on, they must either have sold their Horses and Equipage, or else rob upon the High-way. The Conclusion was, That about Thirty of the Ring-leaders of these Malefactors being executed, the Knot was pretty well broke, and the Countrey restored to its former Security: I have taken notice of this to let the Reader see, that this Age is not more Wicked and Corrupt than that which was Four hundred years ago, when even the Best Men in a County, nay the King's own Servants and Guards, made no Conscience of turning Highway-men.

Anno Dom.
MCCCL.

[3]
Id. p. 779.
Earl Richard's
Lady brought
to bed of a Son

The Earl not
long after goes
beyond Sea,
with great
Attendance.

This [3] Year King *Henry* kept his *Christmas* at *Winchester*, and after the Celebration of that Festival came to *London*, about which time, *Cincia*, Earl *Richard's* Lady, was brought to Bed of a Son, who was Christned *Edmund*; soon after many of the Nobility of *England*, (the Chief of whom were the Earl last mentioned, and the Earl of *Gloucester*, *Henry de Hastings* a Baron, *Roger de Thurkeby*, and divers other Nobles, besides the Bishops of *Lincoln*, *London*, and *Warcester*, and with them the Archdeacons of *Oxford* and *Bedford*, and several other Clerks) went all beyond Sea. The Errand they went on seem'd only to accompany Earl *Richard* through *France*, who travelled with great Magnificence to treat with the Pope being then at *Lyons*; but the Bishops took this Opportunity to go thither about their own private Affairs.

[4]
Id. ib.
The K. with
many of the
Nobility un-
dertake the
Crusade.

Earl Richard
returns into
England.

A short Ac-
count of the
design of his
Journey.

[5]
Id. p. 779.

[1]
Id. p. 783.
A great di-
sturbance in
London about
the K's grant-
ing certain Li-
berties to the
Abbey of
Westminster.

The K. stops
the Grant.

[4] On the Seventeenth of *March* the King himself, and many of the Nobility and Clergy undertook the *Crusade*; there were in all about Five hundred Knights, besides an innumerable Number of Esquires and Common Soldiers. In *May* Earl *Richard* returned into *England* from the Pope's Court, where he had been received and treated both by the Pope and Cardinals in a most splendid and magnificent Manner, to the Admiration of all that were present at his Entrance, and saw his Reception. This occasioned various Conjectures, but most People thought that the Pope, knowing him to be both Rich and Ambitious, then design'd to promote him to the Empire, and that this was the main Cause of his Journey; [5] with him the Earls of *Gloucester* and *Leicester*, and several other Great Men and Bishops, likewise returned into *England*.

[1] About *Midsummer* there was a great Disturbance in the City of *London*, concerning some Liberties belonging to the Citizens, and which the King had granted to the Abbey of *Westminster*; whereupon the Mayor, with the whole Community of the City, made their Complaint to the King, but without obtaining any Remedy: Then they applied themselves to Earl *Richard*, and the Earl of *Leicester*, and some other Great Men, who went to the King, and severely blamed him for infringing those Charters which his Predecessors had granted to the City, and also sharply reproved the Abbot,

bot, as one that had occasioned and moved the King to this Violation; by which means the King was restrained from proceeding any further in his Grant to that Abbot.

Anno Dom. MCCL.

Soon after this, [2] the King complained to the Pope, That his Great Men who had undertaken the *Crusado*, designed to begin their Journey to the *Holy Land* before he himself was prepared for it; and that they were more ready to follow the King of *France*, his Capital Enemy, than himself. Upon this, the Pope by his Letters, under pain of *Excommunication*, prohibited any from going without the King's Leave; who, to make the Prohibition more effectual, sent to the Wardens of his Sea-Ports to hinder any of his * Great Men, that had thus taken the *Crusado* upon them, from passing over Sea.

[2] *Id. p. 785.*
The Pope upon the K's Complaint, forbids the Great Men of England, who had undertaken the *Crusade*, so from going beyond Sea.
* *Magnates.*

Also [3] this Year a rich Jew of the City of *Tark* named *Aaron*, being convicted of counterfeiting or falsifying a certain Charter, was severely fined, and paid to the King Fourteen thousand Marks, and to the Queen a proportionable Sum in Gold; so that it was computed that this Jew had paid to the King Thirty thousand Marks of Silver since his coming from beyond Sea, and to the Queen Two hundred Marks of Gold, as the same Jew informed our Author *Matth. Paris*, * who says they were not to be pitied, because they were proved to be Corrupters of the King's Seals and Charters.

[3] *Id. ib.*
A rich Jew of Tark severely fined for falsifying a Charter.

But here to intermix somewhat of Ecclesiastical Affairs: [4] The King having about this time granted, to a certain Knight of mean Birth (because he had Married the Sister of *John Mansel* his Clerk or Secretary) *Free Warren* within the Lands belonging to *St. Albans* Abbey, and that contrary to the ancient Charters of his Predecessors; and being reproved for this by our Author himself (who was not afraid to do it) all his Excuse for it, was, *Why, does not the Pope do the same thing, adding in his Briefs or Letters, * Notwithstanding any Privilege or Indulgence?* Yet presently upon better Thoughts he said, *Well, well, we will consider further of it*: But for all this, the Remembrance both of his Words and Promises vanish'd with the speaking. This I take notice of, to shew the Reader after whose Imitation the Clause of *Non-obstante* then crept into the Grants of this King.

[4] *Id. p. 783.*
The K. excuses his using the Clause of *Non-obstante* from the P's Example.
* *Non-obstante.*

[5] About the same time the King, to get more Money, sent *Geoffrey de Langly* as his Officer or Inquisitor, to search into the Transgressions upon Forests; which Charge he executed with that Violence and Extortion (especially in the *Northern Parts*) as exceeded Belief, clapping up Gentlemen in Prison for but muttering against his unjust Proceedings, and ruining divers of the best Quality for killing but a Deer, or a Hare, albeit it were in the very Highway; by which means, though he gain'd the King a great Sum of Money, yet it lost him the Affections of his People, when he came to stand most in need of them, as you will find hereafter.

[5] *Id. p. 785.*
The K. sends *Langly* to enquire into the Transgressions upon Forests, who executes his Charge with great severity.

But to add some other Ecclesiastical Matters: [1] About the end of September, *William Rale* Bishop of *Winchester* died at *Tours*; upon which News, the King sent very kind and obliging Letters to the Monks of that Convent, to perswade them to choose *Ethelmar* his Half-Brother for their Bishop: [2] Whereupon they were under

[1] *Id. p. 800.*
The Bp. of *Winchester* deceased, the K. recommends his Br. *Ethelmar* to the Monks to be Elected.
[2] *Id. p. 801.*

Ar. no Dom.
MCCL.

Who upon
 the K.'s ma-
 king a Speech
 to them, is E-
 lected Bishop.

Id. p. 803.
 The Pope
 by a Mes-
 sage desires
 the K.'s Leave
 to stay for
 some time at
Bordeaux.

Whereupon
 the K. takes
 time to consi-
 der of it.

Id. p. 804.
 The death of
Frederick the
 Emperor,
 with his Cha-
 racter.

Id. p. 793.
 The K. of Fr.
 and his two
 Brothers taken
 Prisoners in
Egypt by the
Saracens.

He is forced
 to surrender
Damiata, and
 pay a great
 Sum of Mo-
 ney for his
 Ransom.

great Difficulties how to manage themselves; for in the first place, they durst not reject the King's Request, for fear lest further Inconveniences might ensue, because they thought the Pope was the King's close Friend; neither were they willing to elect one, whom they knew to be altogether insufficient for so great a Trust; yet at last, after many Disputes, the King's powerful Request, or rather Sermon, which he made them in their Chapter-House upon this Text, *Righteousness and Truth have kissed each other*, so far prevailed with them, that *Ethelmar* was chosen Bishop; and forthwith Envoys were sent to give the Pope notice of it, with Letters full of Intreaties and Promises, to induce him to approve of what was so very acceptable to the King.

But [3] soon after this, the King received solemn Messages from the Pope, to desire his Leave to let him reside for some time at *Bordeaux*, because the Earls of *Poitou* and *Provence*, Brothers to the King of *France* (who was lately taken Prisoner by the *Saracens*) looked upon the Pope as the principal Author of his Misfortune, in that he had hindered those who had undertaken the *Crusado* from proceeding according to their Design, and for Money had absolved many from their Vow: and there had passed hard Words between the Pope and those Princes, insomuch that they parted in great Anger; and therefore they made all the hast they could into *England*, to sollicite the King to afford them what Assistance he was able in this Juncture, for the Relief of the King their Brother; urging to him the Vow he at present lay under. This Request of the Pope's reduced the King to great Streights; for if he consented to it, he made the Emperor his Enemy, and besides, the Pope might from *Bordeaux* easily pass into *England* (which he had often talk'd of) where his Company was not at all desired; but again, if the King refused it, he incurred his Displeasure; whereupon the King took longer time to consider what Answer he should return.

In foreign Parts what had happened most considerable [4] was, the Death of the Emperor *Frederick II.* who notwithstanding he had been *Excommunicated*, and Deposed by the Pope and Council of *Lyons* divers Years, was a Prince of great Valour and Prudence; and for all that the Pope and his Confederates in *Germany* were able to do against him, maintained his Dignity till his Death.

But to say something more of Foreign Affairs: [5] *Lewis* King of *France*, having the Year before taken the City of *Damiata* in *Egypt*, had great hopes likewise of getting all that part of the Country next *Palestine*; and therefore marching out this Year from *Damiata*, passed that Branch of the River *Nile* which runs by *Rosetta*, and tho' the King defeated the *Saracens* in several Skirmishes there, yet encamping at last near a place called *Pharamia*, *Sultan Melec* came upon him with a great Force, and the King's being much weakned with Sickness, he would fain have retreated with them to *Damiata*; but it was then too late, for his whole Army was cut in pieces in their return, and the King with his two Brothers *Alphonso* and *Charles*, taken Prisoners; for whose Ransom and his own, as also for all the other *Christian* Captives that were taken Prisoners with them, the King was forced to surrender the City of *Damiata* to the

Saracen

Saracen Sultan, besides the payment of Four hundred thousand *Livres*; and so making a Truce with this Prince for Ten Years, and the King and the rest of the Princes being set free, they sailed to *Acon*; but not daring to stay there neither, for fear the *Saracens* (who threatened to break the Truce) should besiege it, he sent home his Brothers, and then quitting that Place, did nothing more worth taking notice of; but having visited the Holy Places as a Pilgrim, returned home about Four Years after.

[1] This Year King *Henry* kept his *Christmas* at *Winchester*, but by reason of his great want of Money, the usual Plenty and Hospitality of his Court was laid aside, and the accustomed Distribution of New-year's Gifts and Liveries were omitted; yet none were acceptable Guests at Court, who did not bring some Gift or Present to the King, Queen, or Prince *Edward*, and the Principal Courtiers.

Then [2] on *Twelfth-day* *Simon Montfort* Earl of *Leicester*, after he had in some measure reduced *Gascoigny* to the King's Obedience, came into *England*, accompanied only with Three Esquires, and going to the King, acquainted him with the great Charge and Expence he had been at to repress those Rebels, but could no longer maintain it out of his own Revenues; therefore he desired a speedy Supply both of Men and Money; which was granted him: And having received out of the King's Treasury Three hundred Marks, and gathered together what Money he could amongst his own Tenants, and those of his Wards, he prepared to return into *Gascoigny*, as he did with a new Reinforcement the next Spring following.

[3] About this time also there was a Suit commenced between *Sylvester* Bishop of *Carlisle*, and a certain Baron, about a Mannor which the Bishop's Predecessor had sold away, and which he would fain recover again: Now the Bishop having occasion to stay beyond Sea, obtained the King's Letters of Protection, that the Suit should be stopt till his return; but in the mean while the Baron his Adversary obtained other Letters from him, with this Clause, *That notwithstanding the former Letter, the Baron's Cause should not be delayed*. So that now those Writs, or Letters, with that detestable Addition of *Non-obstante*, became very frequent, which being observed by *Roger de Thurkeby* a prudent Man, and one of the King's Justices, he said with a deep Sigh, *Alas, alas! what Times are we fallen into! Behold the Civil Court is corrupted in imitation of the Ecclesiastical, and the River is poisoned from that Fountain*. This I have also added (though omitted by *Dr. Brady*) to give you a perfect History of the Original and Progress of *Non-obstante's* in the King's Writs and Charters.

[4] On *Candlemas-day* *Henry de Bathe* the King's Justiciary, and very Learned in the Laws, was accused to the King for Bribery and Extortion, and that thereby he had raised a very great Estate upon the Ruin of others; upon this he was attached, and when *John Mansel* Clerk, one of the King's Principal Councillors, offered to be his Bail, the King refused him; adding, that his Fault was little less than Treason; but upon the importunate Intercessions of the Bishop of *London* and several others, he was set at Liberty,

Anno Dom.
MCCCL.

Anno Dom.
MCCCL.

[1]
Id. p. 807.
The K. for want of Money, retrenches the Hospitality of his Court.

[2]
Id. p. 810.

[3]
Id. lb.
A further Progress of *Non-obstante's* in the K's Letters and Charters.

Non-obstante.

[4]
Id. p. 811.
H. de Bathe accused of Bribery and Extortion.

Anno Dom.
MCCLI

[5]
Id. p. 814.
H. de Bathe ac-
cused in Par-
liament for
incensing the
K. against the
Baronage of
England.

He is also ac-
cused of Bri-
bery, at which
the K. is much
enraged.

[1]
Id. p. 815.
Yet by the
Mediation
of Earl Rich.
and the Pro-
mise of a
round Sum of
Money, he is
reconciled to
the K.

[2]
Id. p. 815.
Eschmar is
confirmed by
the Pope in
the Bishoprick
of Winchester.

[3]
Id. p. 816.

* Communia
Civitas.

[4]
Id. p. 817, 818.
* Vid. the Let-
ters at large in
M. Paris.

Liberty, and Twenty four Knights bound for his appearance at a time appointed.

[5] On the Seventeenth of February (according to appointment) the Parliament met at London, where appeared the above-mentioned Henry de Bathe, accompanied with a great Train of his own and his Wife's Relations; and then (besides other Crimes) he was accused for incensing the whole Baronage against the King, upon which a general Sedition was like to have ensued; and the King was so highly provoked against him, that he caused it to be openly proclaimed, both in his own Court and in London, That if any Person had any Action or Complaint against him, he should come in, and be fully heard. Then one of his Fellow-Justices laid to his Charge, That for a great Bribe he had acquitted and discharged one convicted of notorious Crimes; which further so enraged the King, that he again publicly declared, That if any one should kill Henry de Bathe, he would pardon him; and he had been soon dispatched, had not the Prudence of John Mansel, and the Threats of the Bishop of London secured him from Violence. [1] But at length having made Earl Richard his Friend by great Presents, through his Powerful Mediation, and the Promise of a round Sum of Money, he gained his Liberty; and so about the end of July following, he returned to Court, and was reconciled to the King, upon the payment of Two thousand Marks. From whence we may observe, That in those Times it was all one to be Innocent or Guilty, provided the Party accused were Powerful, and would part with his Money freely.

[2] About this time Eschmar the King's Half-Brother was by the Pope approved of, and confirmed in the Bishoprick of Winchester; and at the same time his Holiness sent to the King to make a Provision of Five hundred Marks (in Ecclesiastical Revenues) for the Duke of Burgundy's Son, a Child. [3] Likewise the same Year part of Wales was wholly subdued, and received the English Laws; and that side of it which borders upon Cheshire, was committed to the Government of Alan de la Zouch, who answered to the King Eleven hundred Marks per Annum; which deserves to be taken notice of, as being not mentioned in the Welsh Chronicles.

As for Domestick Matters (according to the ancient Manuscript Chronicle of the City of London) this Year in Whitsun-week, the * Community of the City swore Allegiance to Prince Edward at St. Paul's Cross, saving the Fidelity they owed to the King his Father, who then also granted them a Confirmation of all Liberties they enjoyed in the Time of King Henry the First; and also that for the future the Mayor should be sworn before the Barons of the Exchequer at Westminster, and not before the King in Person; for which Charter the City paid him Five hundred Marks.

But to intermix somewhat of Ecclesiastical Affairs: [4] Some time after, the Pope sent John de Cameracensis his Nephew and Chaplain into England, * with Letters to the Abbot and Convent of St. Albans, commanding them to confer upon him the Parsonage of Weedgrave, or any other good Benefice belonging to their Patronage (if desired by the above-named John) when it became void, Notwithstanding that Indulgence or Privilege lately granted to the

the *English*, that the Benefices of *Roman* Clerks becoming vacant either by Cession or Death, should not be conferr'd on any *Italians*.

[5] *Simon Montfort*, Earl of *Leicester*, having this Summer, by divers great Successes against the Rebels in *Gastigny*, broken their strength, and had taken *Chastillon*, a Castle of great Importance, and their common Refuge; he, together with his Wife and Earl *Guido de Lusignan*, the Third Half-Brother of the King, landed at *Dover*, in *November*, of which when he had notice, he commanded his Great Men and the Citizens of *London* to receive his Brother with all solemnity and signs of Joy; and after he had supplied his Wants by his Royal Bounty, he return'd home plentifully furnished.

I have nothing more to add to the Civil Affairs of this Year, but to observe from the same [1] Author, That the King now began to imitate his Father, and slighting his own Natural Subjects, to bestow his Affections upon Strangers, such as were (besides his Half-Brother above-mentioned) the Archbishop of *Canterbury*, the Bishop of *Hereford*, and *Peter of Savoy*; whence arose so many Princes in *England*, who made nothing to seize upon Men's Houses, Carts, Victuals, and other Necessaries, without paying for them: And besides, the *Poitevins* did not spare the very Noblemen, but did all they could to Oppress and Impoverish them, especially the Abbots and Priors; these things lost the King the Love of his Subjects, and were one main cause of those great Disturbances, which afterward ensued.

[2] As for other Foreign Affairs, this Year affords not many worth the Noting, only that in *France*, during the Imprisonment of King *Lewis*, a great Multitude of *Shepherds* and other *Peasants* got together under their Leader, (an Apostate Monk, an *Hungarian*) who upon pretence of delivering the King from Captivity, made a dangerous Insurrection; with these joined a great Number of Rogues, Thieves, and all sorts of Malefactors, so that they soon made up a considerable Army; and then ralling against the Bishops, and all the Religious Orders, marched to *Orleans*, where they fell upon the Scholars, plunder'd them, and killed several; till being Excommunicated by the Bishop of that City, and going into *Berry*, the People of that Province rose upon them and put them to the rout, and killed a great many; and those that were taken being Hang'd, the rest laid down their Arms, and vanished as it were in a Moment.

[3] This Year King *Henry* kept his *Christmas* at *York*, because his Daughter *Margaret* (being now of Age) was to be solemnly married to *Alexander* the Young King of *Scots*; and for the more famous Celebration of these Nuptials, (besides that King and his Mother the Queen) there was a very great Confluence of the Clergy and Nobility, not only out of *England* and *Scotland*, but several from *France*. Then on *Christmas-day* King *Henry* Knighted *Alexander* King of *Scots*, and the next Day early in the Morning the Lady *Margaret* was married to him, upon which he did Homage to the King of *England* for *Lothian* and the other Lands he held of him; and after that it was demanded, that he should do the same Homage and Fealty to his Lord the King of *England* for the Kingdom of *Scotland*, as his Predecessors had formerly done; To which the King

Anno Dom.
MCCLI.

[5]

Id. p. 825.
Simon Montfort
having sub-
dued the Re-
bels in Gas-
tigny, returns
into England
with the King's
Half-Brother.

How he is re-
ceived by the
Great Men
and Citizens
of London.

[1]

Id. p. 816.
The King
shows his Affec-
tions upon
Strangers.

[2]

Id. p. 822.
A great In-
surrection of
Peasants in
France, under
pretence of
setting their
King at Li-
berty.

Being Excom-
municated, they
march into
Berry, and are
taken and put
to Death.

Anno Dom.
MCCLI.

[3]

Id. p. 829.
The King keeps
his Christmas
at York, in or-
der to marry
his Daughter
to the King of
Scots.

And there does
Homage for
Lothian, but
being deman-
ded to do it
for all Scotland,
wisely puts it
off.

Anna Dom. of Scots (though very Young) wisely replied, That he came thither voluntarily at the King's Invitation, and by the Marriage of his Daughter to unite himself more closely to him; but was not prepared to give an Answer to such hard Questions, for he had not consulted his Nobility about so difficult an Affair. When the King heard this modest Reply, he would not press him any farther, (lest the designed Mirth and Jollity of the Nuptial Solemnity, should be thereby disturbed,) but passed it by in Silence, till a fitter Opportunity. The Marriage-Ceremonies being now over, that King (having obtain'd whatever he could in reason expect from King Henry his Father-in-Law) returned with his Wife, the Young Queen, into Scotland.

And returns Home.

[4] Soon after this, the Pope wrote to King Henry to hasten his Preparations for the *Holy-Land*, to prosecute the Vow he lay under, and give what Aid and Relief he could to the King of France; and if he would not go himself in Person, not to hinder others who stood obliged by the same Vow. The King, to shew his readiness to answer the Pope's request, took great quantities of Money from the Jews, nor were his *Christian* Subjects much less spared.

[5] In the Spring following, the Noblemen of *Gascoigny* sent over their Complaints to the King against *Simon* Earl of *Leicester*, accusing him of Unfaithfulness and Treachery, heaping together great Sums of Money from all sorts of People, under pretence of taking it for the King's Use, but indeed turning it wholly to his own; but so soon as the Earl heard what was laid to his Charge, he went to the King and pleaded his Innocence, saying, *He would not give more credit to his Rebellious Gascoigns, than to him, who had given such evident Proofs of his Fidelity*; To whom the King replied, *That if he were Innocent, a strict Enquiry would render him the more Remarkable*; so the Earl (though somewhat humbled with this Answer) was again furnished with Money: But before his return into *Gascoigny*, they would have revolted from their Allegiance to the King of *England*, and sought out a new Lord; could they have found any other Countrey to have sold their Wines in with as good advantage.

[1] Soon after the Earl's return, the Great Men of *Gascoigny* agreed to send publick Messengers to the King of *England*, to acquaint him how inhumanely his Faithful Subjects of that Countrey were treated by the Earl of *Leicester*, and drew up a fresh Charge or Accusation against him, which was testified by the Common Seals of their Cities, Great Men, Castellans, and Bailiffs; and this was carried to the King by the Archbishop of *Bordeaux* and several Noblemen, who landed in *England* about *Whitsontide*, and found the King at *London*; before whom they again made [2] a lamentable Complaint of the Treachery and Tyranny of the Earl of *Leicester*. But the King would not give too hasty a Belief to their Complaints, because he himself had found them Traytors, when he was in *Gascoigny*; but waited till the return of *Nicholas de Molis* and *Drogo Valentine*, whom he had sent thither to Enquire into the Truth of their Accusation.

[2] But the King would not give too hasty a Belief to their Complaints.

[3] These

[3] These at their return reported to the King, that they found some who had been very severely treated by the Earl, yet (as they believed) but according to their deserts. The Archbishop of Bour-
deux, and such as came with him, hearing this, required they might prove their Accusation, and then have Judgment, and protested upon Oath, they would never obey the Earl, and begged of the King to provide them a new Governour, but his Charge was then no farther enquired into, because he was absent; However, a Day was appointed thoroughly to Examine this Affair. In the mean time Leicester had procured Earl Richard, and the Earls of Gloucester and Hereford, and several other Noblemen and Men of Quality, who were his entire Friends, to be present at the hearing of his Cause: And when the Earl appeared, he so well made out his Innocence, and vindicated himself, that he silenced most of his Adversaries; tho' when the King perceived that his Brother Richard and the other Noblemen there present sided with the Earl, he had much ado to restrain the Resentments he had conceived against him; And after several Debates as well as Reflections upon each other, no sooner did the Earl repeat the Services he had done the Crown, and mention the Promises and Grants the King had made him, to repay the Expences he had been at in his Service, and make bold to demand of him the Performance of his Royal Word and Engagement, by a Recompence for his Charges; but the King replied, *He would not stand to any Promise he had made to one that was a Traytor*; whereupon, the Earl told the King *He Lied*; and were he not a King, he would make him eat his Words; asking, (in a reproachful manner) *Whether any Man could believe he was a Christian, or whether he had been at Confession?* The King replied, *Yes*: The Earl answered, *What availeth Confession without Penance and Satisfaction?* To which the King return'd, *That he never had more reason to repent of any thing, than that he had suffered him to come into England, and that he had bestow'd such Honours and Preferments upon One that had so little Gratitude and Manners*; and the King had immediately caused him to be Apprehended and Imprisoned for this Insolence and Sawciness, but that he had notice, that some of the Great Men would abet and support him: At length, by the Interposition of Friends, they parted from each other, outwardly reconciled. Which Relation, as it shews the Insolent and haughty Temper of this Earl, which few Princes besides King Henry could have born with, and patiently put up so great an Affront as the *Lie*; so likewise it is no wonder, if the King, as he before was afraid of him, ever after hated him mortally, and only waited an Opportunity to Ruine him.

[4] Soon after, the King ordered the Earl of Leicester to return into Gascoigny, telling him, *That if he was such a Lover of War, he might there find Employment enough, and also a Reward answerable to his Merits, as his Father had done before him*; To which the Earl boldly replied, *That he would go over and never return, till he had wholly subdued the Enemies, and reduced the Rebellious Subjects of an Ungrateful Prince*; and presently made all Preparations possible for his Expedition.

Anno Dom. MCCXIII.

[3]

Id. p. 246. But sendrover Commissio- ners, who on their return make a Report in his father.

The Earl having made Richard Sec- his Friends, justifies him- self.

The K. not being able to hide his Resentment, calls the Earl a Traytor, who thereupon gives him the Lie, with other gross Language.

Yet the King is said to be reconciled to him.

[4]

Id. p. 244. The Earl is again sent in- to Gascoigny.

Anno Dom.

MCCCLIII

[5]

Id. p. 845.

As soon as the

Earl is gone

back, the K.

declares the

Prince his Son

L. of Gascoigny.

Which highly

rejoices the

Gascoignes.

The E. hardly

escapes being

slain by the

Gascoignes.

[1]

Id. p. 846.

A great Com-

plaint against

the Oppressi-

on of Foreign-

ers.

[2]

Id. p. 849.

Almost all the

Prelates of

England meet

the K. at Lon-

don, where the

Pope's De-

mand of the

Tenths of all

Ecclesiastical

Revenues for

Three Years

is proposed to

them.

[1]

Which is re-

fused by the

Bp. of Lincoln,

but agreed to

by the Bishop

Elect of Win-

chester, and

some others.

[2]

[1]

[2]

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[5] But not long after the Earl's departure, the King called to him the Archbishop of *Bordeaux*, and all the *Gascoignes* that came over with him, and were still about *London*, and declared to them, (though untruly) That his Brother Earl *Richard*, whom he had formerly made Governour of their Country, neither valued it, nor cared to see it; whereupon he gave them notice, that he had conferred it upon Prince *Edward*, his Eldest Son.

This much rejoiced the *Gascoignes*, and forthwith all that were present did their Homage, and swore Fealty to him; the King reserving to himself the Supreme Dominion thereof: Then after they had received many Gifts and Presents from Prince *Edward*, they prepared for their return into *Gascoigny*, where they found all People very well pleased with their new Governour, and very busie in making Preparations both to receive him, and countermine the Earl of *Leicester's* Designs, between whom and the *Gascoignes* there was shortly after a smart Skirmish; wherein the Earl with much difficulty escaped being taken or kill'd, but he was happily relieved by a Knight, who had been a little before taken Prisoner himself; so the Ambush being discovered which they had laid for him, the Earl, by his Assistance, soon gained the Advantage, and having made five of their Principal Men Prisoners, put the rest to flight.

[1] This Year there were abundance of Complaints among all sorts of People, both Clerks and Laicks, of the cruel Oppressions and Exactions they suffer'd from Foreigners, but more especially the *Poitouvins*; and when any Man complained he was Injured, and sought remedy by Law, these *Poitouvins* would reply, *What did their Law, Affizes, or Customs of the Kingdom concern them, they valued them not?* Which very much vexed the King's Natural Subjects; but above all, when they saw some of the *English* tread in the same Steps with those Strangers.

[2] On the Thirteenth of *October* (being the Feast of *St. Edward*) all the Prelates of *England* (except the Bishop of *Chester* who was infirm, and the Archbishop of *Canterbury* and Bishop of *Hereford*, that were beyond Sea, and the Archbishop of *York*, who was absent for some reason as then unknown) met the King at *London*, where was propounded to them the Pope's Demand, That the *Tenths* of the Revenues of the whole Church for Three Years, should be set a-part, and paid towards the defraying the King's Expences in his Journey to the *Holy-Land*; and this not to be levied according to the old Value of Church-Livings, but according to a new Valuation, and the strictest Inquisition of the King's Collectors or Officers; and the King's Agents then offer'd, That if they would pay down Two Years value according to the Pope's Precept, then that of the Third Year, or at least Half of it (although not granted in the Bull) should by the King's Bounty be remitted; To all which the Bishop of *Lincoln* answered, *That they proceeded upon a supposition which was not granted, namely, That they had consented to this Cursed Contribution;* when the Elect of *Winchester* replied, *How can we contradict both the Pope and the King?* Especially since the French have consented to the like, since an Act often repeated begets a Custom; with him agreed the Bishops of *London*, *Chichester*, and *Worcester*, as did almost all the rest, only *Salisbury* fluctuated, and the Bishop of *Lincoln* still moved,

that

that they should intreat his Majesty, that for the Health of his *Anna Dom.* Soul he would remit this Severity; which at last was agreed to *MCCLII.* by the major part of them: But when the King heard their Answer, *The most* he fell into such a Passion, that it frightened all about him; yet at *part remon-* length being somewhat appeased by those that were there present, *strate against* he sent the Bishops word, That they did not only oppose the Pope *it, which puts* and himself, but also *Jesus Christ* and the *Universal Church*: To *the K. into a* which the Bishops answered, That if the Pope did but truly under- *Passion; but* stand how they and all the Kingdom had been impoverished and *the Bishops* oppressed on every side, by the Enlargement of his Forests, his *still persist in* Justices Itinerant, and divers new-invented Projects, he would not *their denial,* think it strange that they should oppose this Contribution; adding *and on what* thereto many other Aggravations of the King's Injustice and Breach *grounds.* of his Coronation-Oath, too long to be here particularly mentioned, for which I refer the curious Reader to the Author himself: B^o when the King with great importunity still urged the payment of it, they answered him, *That both the Archbishops of Canterbury and York were absent, and they could not do any thing without the Consent of their Primates.*

[3] After which, the King persisting in his wonted exorbitant *[3]* Courses, ceased not to bestow the vacant Benefices on Strangers, *Id. p. 850.* being both ignorant and scurrilous Persons; such as was a certain *The K. be-* *Poitouin*, Chaplain to *Geoffry de Lusignan* the King's Half-Brother, *shows his Be-* on whom he bestowed the rich Benefice of *Præstou*, though he were *nefices upon* but an illiterate Buffoon, and whom our Author has seen pelting *Strangers. be-* the King and his Brother *Geoffry* with Turfs and green Apples, as *ing ignoble* they walked in the Orchard belonging to *St. Albans Abbey*; upon *Persons, of* which he makes (and that justly) a very severe Reflection. *which our* *Author gives* *us an Instance.*

[4] Not long after this, the King being resolved to try whether *[4]* he could not have better Success with the Bishops being asunder, *Id. p. 858.* than when they were together, presently after the rising of the late *The K. tries* Council, he sent for the Bishop of *Ely* to come to him, and making *the Bishops* him a very obliging Speech, he acknowledged the Bishops great *singly, and* Presents and Contributions to him on several Occasions, yet that *begins with* now having great need of Money for his Voyage to the *Holy Land*, *the Bp. of Ely,* he humbly entreated him again to contribute to his Assistance on so *and moves* pressing an Occasion: But all these fine Words had no effect on *him for Mo-* the Bishop; for he would not by any means be drawn from the *ney towards* General Resolution of all the rest of his Brethren; and this rather *his intended* deter'd than encouraged the King from undertaking this Expedi- *Voyage for* tion, from the late Misfortune of the King of *France*; but when *the Holy Land.* the King had heard the Bishop's Answer, he was so angry, that he *But when the* bid his Officers turn him out of doors for an Ill-bred Fellow as he *K. could not* was: The King also tried some of the other Prelates, but he met *prevail upon* with no better Success. *him, he orde-* *red him to be* *turned out of* *doors.*

[5] Nor did he come off to much greater Advantage from ano- *[5]* ther Encounter he had not long after with the Widow Countess of *Id. p. 853.* *Arundel*, who waited upon the King about her Right to a certain *A sharp Dis-* Wardship, which he challenged by reason of a small Parcel of *logue between* Land which was held *in Capite*: But when the Countess found by *the King and* all her Applications she could by no means prevail upon him, *the Countess* she thus boldly accosted him: *My Lord the King, why do you turn your* *of Arundel, as* *about his chal-* *lenging a* *Wardship?*

Anna Dom.
MCCLII.

Face from Justice? for no body now can obtain any Right in your Courts; You are placed between God and us, but you neither Govern your self nor us, as you ought; Are you not ashamed, both to oppress the Church, and disquiet the Nobles of your Kingdom? Which when the King heard, he, bending his Brows, said thus to her; What do you mean, Lady Countess? Have the Great Men of England given you a Commission to be their Advocate? But she (though a Young Woman) did not answer like one; Not so, Sir, (said she) the Nobility have not made me any such Charter, though you have broke that which you and your Father have granted, and sworn inviolably to observe, and for which you have so often extorted Money from your Subjects: Where are the Liberties of England so often reduced into Writing? so often granted, and so often redeemed? Therefore I (though a Woman) with all your Natural Subjects, do appeal from You to the Tribunal of God, the Great and Terrible Judge, and let him revenge us. At which Answer the King being confounded, he held his peace, because his own Conscience told him she had spoke but too much Truth; so he only replied, Did not you ask a Favour, because you were my Cousin? To whom she only returned, Since you have denied me my Right, how can I expect any Favour? The King thus reproved, said no more; and the Countess went away without taking Leave, as well as without any other Satisfaction than that of having freely spoken her Mind.

But though Dr. Brady has (for some Reasons best known to himself) passed by these last Relations (albeit they are also in *M. Paris*) yet I have not thought fit to do so, since it not only lays open the Weakness of this King's Temper, but the Injustice of his Government; whilst he was managed by such wicked and unjust Counsellors, which bred all those ill Humours that some few Years after broke out against them to their Ruin.

[1] *Id.* p. 852.
The K. extorts Money from the Citizens of London, contrary to their ancient Charters. And also makes them shut up their Shops during St. Edward's Fair.

[2] *Id.* p. 853.
The K. summons his Great Men about the Affairs of Gascoigny, who all take S. Montfort's part, which displeases the King, who had resolved to have proceeded against him as a Traitor.

[1] About the same time likewise the King extorted from the Citizens of London, by his imperious Commands, Twenty Marks of Gold (which makes Two hundred Marks of Silver) a great Sum in those Days, though according to the Tenour of those Charters and their ancient Liberties, they ought to be free; so that they were reduced to almost as servile a Condition as the very Jews themselves; nor was he contented with this, but made them shut up their Shops Fifteen Days together, and carry their Commodities to St. Edward's Fair, which he had lately set up at Westminster (as I have mentioned before) and there to remain all Day in Tents and Booths; and to expose themselves and their Wares to the Rain and Cold (it being presently after Christmas) though they had few Chapmen for them: These things caused great Heart-burnings and Discontents among the Citizens, and produced that Aversion which they afterward expressed against the King and all those that adhered to him.

[2] Soon after, he summoned his Great Men to consult with them about the Affairs of Gascoigny; who when they were met, urged on behalf of the Earl of Leicester, That the Gascoignes were a Treacherous and Rebellious People, as appeared by their base treating of the King when he was among them, and by whose means he had returned home poor and inglorious; and that they had practised Robbery and Depredations on Travellers and Merchants;

chants; and that the Earl of *Leicester* had Ten Years and an half *Anno Dom.*
yet to come in his Charter, by which the Government of that *MCCLII.*
Country was committed to him. The King was extremely displea-
sed to find his Great Men so ready to excuse the Earl, for he had
resolved to have proceed against him as a Traitor: But when the
Earl had notice of the King's Design, [3] he replied, *I am very well* [3]
satisfied that the King would destroy me to enrich some *Provençal or* *The K. here-*
Poictovin with my Earldom. Upon this the Counsel was dissolved; upon resolves
so that the King was alike dissatisfied with the Secular Great Men, to send for the
as well as with the Prelates, and therefore thought best to send for
a Legate from *Rome*, who might force the Clergy by the Pope's
Authority to comply with his Demands.

[4] On the Eleventh of *November*, *Albert* the Pope's Nuncio *Id. p. 856.*
came into *England* to perswade Earl *Richard* (who was known to *The Pope*
be by far more Wealthy than all the Noblemen of these Parts) to *sends a Nunci-*
accept the Pope's Offer of the Kingdoms of *Apulia*, *Naples*, and *Sicily*, *cio to per-*
and to expose his Person, and spend his Treasure in his Service; *swade E. Ri-*
but the Earl was too wise and experienced to hearken to those *chard to ac-*
subdolous Proposals; [5] neither (to be sure) was the Nuncio un- *cept of the*
mindful of his own Interest, in letting the Prelates know, that he *Kingdom of*
himself was the Pope's Favourite, and that Presents and Benefices *Sicily and Na-*
would be very grateful and acceptable to him. *ples, which the*
Earl is too
wise to accept
of.

[1] This Year also the Bishop of *Lincoln* employed one of his *Id. 16.*
Clerks to take an exact account of the yearly Revenue that *Italian* *The Bp. of*
and Foreign Clergy-men possessed in *England*, and it was found to *Lincoln takes*
amount to above Seventy thousand Marks *per Annum*, when the *an exact ac-*
King's bare Revenue at the same time scarce reached one Third part *count of the*
of that Sum: From whence we may observe, how poor a thing the *yearly Reve-*
ordinary Revenues of the Crown were in those times, being not so *nues of the*
great as some Noblemens Estates in *England* are at this day. *Italians in*
England, and
finds they a-
mount to
70000 Marks.

[2] To this Relation I may likewise add what is mentioned in *Id. 16.*
the same place, and which will sufficiently shew the great Riches *The Prodig-*
and Luxury of Clergy-men in that Age; for *John Mansel* Clerk, *ous number of*
who was at that time the King's Principal Councillor, enjoyed no *Benefices en-*
less than Seven hundred Ecclesiastical Preferments at once; so that *joyed by John*
his Revenues amounted to Four thousand Marks *per Annum*, an In- *Mansel.*
come then sufficient for the greatest Prelates; wherefore our Au-
thor justly wonders, how any wise or good Man would ever burthen
his Conscience with the Care of so many Souls; and therefore much
suspects his deserving either of those Characters: And he also well
observes, *That divers Men know a great many things, but in the mean*
me are ignorant of themselves and their own Duty.

Anno Dom.
MCCLIII.

[3] This being the Seven and thirtieth of King *Henry's* Reign, he *Id. p. 860.*
kept his *Christmas* at *Winchester*, where though the Citizens presented *The K. keeps*
him with a large Present of Provisions even to Admiration, yet in *his Christmas*
requital of their Kindness, he obliged them in a short time after to *at Winchester,*
pay him Two hundred Marks, which made them pass their *Christ-* *where tho' the*
Citizens make
him large Pre-
sents of Provis-
ions, yet for
all that he
extorts Mo-
ney from
them.
Yet

Anno Domini.
MCCCLIII.

[4]

Id. p. 862.

A greater Instance of the K's Injustice, in his dealing with certain Abbots.

[5]

Id. p. 863.

[1]

Id. ib.

The K. having bestow'd the Government of Gascoigny upon Pr. Edward, the K. of Castile challenges it as his own.

Whereupon, many of the Nobility of that Countrey revolt from K. Henry.

[2]

Id. p. 864.

The Gascoigns fall together by the Bars.

[3]

Id. p. 865.

The K. being still in want of Money, is at last forced to call a Parliament, where he demands a great Sum.

Yet he did a greater Act of Violence and Injustice a little while after: [4] For having agreed to marry his Niece, the Daughter of the Earl of *Engoulesme*, to the Son and Heir of *Richard* Earl of *Glocester*, in consideration of a Portion of Five thousand Marks which the King obliged himself to pay; but not having the Money ready, he commanded the Abbots of *Sr. Albani*, *Reading*, and *Waltham*, to give Security on his behalf to the Earl of *Glocester*, for the said Sum, which they utterly refused; for who could force the King to repay them, if he had no mind to it? Wherefore he then importun'd the *Knights-Templars* and *Hospitallers* to be bound for the Payment of that Money; but they refusing likewise, He threaten'd them most terribly, and to be revenged of them, turned out Friar *Roger*, one of their Brethren, from his Office of *Almoner*, and also watch'd for an Opportunity how to be farther revenged upon them. This is one of the many Abuses that Dr. *Brady* flyly passes over; as he does also what is mentioned in the very next [5] Page, concerning the King's forcing the Citizens of *London* to pay a Contribution of One thousand Marks the *Leet* following.

[1] *Simon Montfort*, Earl of *Leicester*, having this Year resigned his Charter or Patent of the Government or Stewardship of *Gascoigny*, which he had obtained of the King for Five Years, upon his buying him out of the Remainder of his Term, (which was Three Years) and giving him Security for the Money; the King thereupon conferr'd that Government upon his Son Prince *Edward*, as you have already heard; but so soon as *Alphonso*, King of *Castile*, found the Earl of *Leicester* had quitted his Charge of that Province, and that it was left to the Government of a Youth, he pretended a Grant of that Country from King *Henry* the Second, confirm'd by *Richard* the First, and King *John*; whereupon *Gaston de Bearn*, and several others of the Nobility of *Gascoigny*, revolted from King *Henry*, and joined themselves to *Alphonso's* Party; but the Citizens of *Bordeaux*, who continued Faithful to the King of *England*, gave him notice of it, and that unless he sent them a quick and powerful Assistance, he would lose the whole Conntry: Whereupon, the King was troubled that he had removed *Montfort*, who was now gone into *France*, where he had the offer made to him of being High-Steward of that Kingdom; but he generously refused it.

[2] In *Leet* many fresh reports came from *Gascoigny*, as that *Reale-Castle*, and several other Places, were taken from the *English*; the King was startled at this News, and caused Proclamation to be made, and sent his Writs into every County, that all Men should be Armed and Mustered, according to antient Custom, and that Watch should be kept in Cities and Towns. But about the middle of *April*, the *Gascoign* Nobility finding themselves freed from the Government of *Simon Montfort*, fell foul upon one another, invaded each others Castles, took Prisoners on both sides, and burnt and wasted each others Houses and Lands.

[3] The King having incurr'd the ill Will, and indeed Curses of his People, by taking extraordinary ways to raise Money contrary to Law, (in such a violent and illegal manner as is mentioned by our Author) yet still wanted a very large Sum for his intended Expedition to the *Holy-Land*; whereupon he called a Parliament to

to consult about the difficult Affairs of the Kingdom; and Fifteen days after *Easter* the whole Nobility meeting accordingly, he demanded a very great Sum of Money from them; but after many Arguments and Debates about it, [4] the Archbishop of Canterbury, the Bishops of *Carlisle*, *Salisbury*, and *Ethelmar* the Elect of *Winchester*, were sent to the King by the Bishops and all the Prelates, to persuade and induce him (as he had often promised upon Oath) to permit *Holy Church* to enjoy all her Liberties, especially those concerning Elections, in which (as they said) Ecclesiastick Liberty chiefly consists; and if he would correct this Error, and those concerning the other Liberties contained in *Magna Charta*, they would do their utmost to satisfy his desires. Whereupon, the King freely confess'd his Failings, and how he was sorry he had ever done so, and that they should be corrected for the future; then making a smart Speech to these Bishops, setting forth how he had advanced them (though unworthy) to those high Dignities they enjoy'd, before many other Grave and Learned Divines, he therefore advised them, (as they valued their Salvation) to lay down those Spiritual Charges which they had by his Prerogative unjustly acquir'd; and then he himself, being reformed by their Example, would for the future take care to prefer none but such as should be worthy; they being thus sharply, yet civilly reprov'd, had nothing to reply, but that they came not to rip up what was past, but to mind him what he ought to do for the future.

[5] Then, after Fifteen days debate about this and other Things, they came to this Unanimous Resolution, That the King's Intentions of taking upon him the *Crusado*, were very Pious, and they should not want their due Effect; yet that the State of the Church or Kingdom might not receive any Detriment thereby, the Clergy therefore granted him the Tenth of all Church-Revenues for Three Years, for the Relief of the *Holy-Land* against the Enemies of God, to be disburs'd by the oversight of the Great Men; and the Knights or Military-Men also gave him for that Year Three Marks of every Knight's Fee, in Consideration of which, the King promised *bona fide*, and without fraud, to observe the Great Charter, and every Article therein contain'd, which is the same that his Father King *John* had sworn to keep many Years before; and which he in like manner had sworn to at his Coronation.

[1] After this, on the Third day of *May*, in the Great Hall of the Palace of *Westminster*, all those that Opposed, Violated, Diminished, or Changed the Liberties and Customs of the Kingdom, (especially those contained in the Great Charter of Liberties and Forests) were solemnly Excommunicated and Anathematized with Bell, Book, and Candle, by *Boniface* Archbishop of *Canterbury*, and the rest of the Bishops, being in their Pontificalibus; and this was done in the Presence, and by the Assent of the King, *Richard* Earl of *Cornwall*, his Brother, the Earl of *Norfolk*, Mareschal of *England*, the Earl of *Hereford*, the Earl of *Oxford*, the Earl of *Warwick*, and other Chief Men of the Kingdom; the Archbishops and Bishops holding Lighted Candles in their Hands: The King in the meanwhile laying his Hand on his Breast, said, after all this was perform'd, So may GOD help me, as I inviolably observe all these things;

But

And Don.
MCCCLII.

[4]

Id. p. 866.

Whereupon,
the Prelates
require a Re-
stitution of
the Privileges
of the Church
in Elections.

liber libano

X. lib. libano

lib. libano

lib. libano

lib. libano

lib. libano

[5]

Id. 16.

At last the
Clergy agree
to grant the
K. a Tenth of
their Revenues
for Three
Years.

And the Mili-
tary Men
Three Marks
upon each
Knight's Fee;
for which the
K. promises
strictly to ob-
serve the great
Charter.

[1]

Id. 16.

And Sentence
of Excommu-
nication
is solemn-
ly pronounc'd
by the Bps. in
*Westminster-
Hall*, against
all the Viola-
tors of these
Charters.

Anno Dom. MCCLIII. But he refused to hold a Taper, because he was no Priest, saying, *His Heart was a greater Testimony.* [2] Then also the Original Charter which King John had granted was produced, and read before them all, which the King having Regranted and Confirmed, they put out their Candles, and threw them down smoking upon the Ground, and every One wished, That such as deserved that Sentence, might so Stink and Smoke in Hell.

[3] The Council was no sooner Dissolved, but the King (who commonly followed the worst Advice) contrived, how he might break through all those Things he had so lately granted; it being told him by some about him, *That if he observed those Charters, he would not be King, nor absolute Lord of England; and his Father King John had shewed him this, who chose rather to die than to be trampled upon by his Subjects;* and these wicked Counsellors farther whisper'd in his Ear, That he need not fear the Censure of Excommunication, since for Two or Three hundred Marks the Pope would absolve him of his Oath, by the Pleasantry of his Power; and he might farther obtain another Tenth of the Clergy by the Pope's Authority, if the King would but allow him a share out of it, or perhaps enlarge the Payment of it for a Year or two; all which pernicious Councils were put in Practice, as the following History will shew. But this (tho' omitted by Dr. Brady) deserves to be taken notice of, since it was the Cause of all those dreadful Wars and Combustions, that some Years after ensued.

[4] About the same time, the Citizens of *Bordeaux* acquainted the King, That if he came not over presently into *Gascony*, he would lose the whole Country, which, upon the Departure of *Simon Montfort*, was now fallen into Rebellion; wherefore the King sent them word, That he would speedily come over to them in Person with a considerable Force: Upon which, about the First of *June*, he summoned all his Military-Tenants to be ready with their Horses and Arms at *Portsmouth*, Eight days after *Trinity-Sunday*, to pass the Sea with him, when he took up a Thousand of *English* and *Foreign* Merchant Ships; but he lay there Wind-bound above a Month, to his great Expence, as well as Prejudice of his Affairs beyond Sea; at last, having before appointed his Queen and Brother *Richard* to Govern the Nation in his Absence, and left his Son *Edward* under their Care, he set sail with a fair Wind, and on the Fiftenth of *August* arrived at *Bordeaux*, and presently commanded *Rede-Castle* to be Besieged; so that by the end of *Summer* the King had recovered all his Castles in *Gascony*, either by Force or Composition, the Besieged often sending to the King of *Spain* for Relief, but never receiving any: Yet the King, not daring to rely upon the Fidelity of the *Gascoignes*, and suspecting that they might Revolt to the King of *Spain*, sent the Bishop of *Hath*, and *John Mansel*, his special Chaplains, Ambassadors, to desire his Friendship, and that he would consent to Marry his Sister to his Son and Heir Prince *Edward*, on whom he had lately bestowed *Gascony*: These Ambassadors so well dispatch'd this Affair, that they not only concluded that Match, but also made a League with the King of *Castile*, and brought back a * Charter sealed with a *Golden Seal*; by which he

* See this Charter in the King's Archives, in the Old Chappell-house at Westminster.

released to King Henry whatever Right he had, or could have in that Countrey, by the Grant of Henry the Second, Richard the First, or King John; then upon John Mansel's assuring his Master of the King of Castile's Sincerity, he some time after sent for his Son, Prince Edward, to come over to him, in order to lend him thither to consummate the Marriage; yet this Match and League were kept conceal'd from the Great Men of England, as you will find by and by.

[5] In the mean while, the Earl of Leicester came with some Troops of his own, and offer'd his Service to the King, which when the rebellious Gascoignes understood, they dreading the Earl's great Courage, and also hearing that the King of Castile had made Peace with King Henry, by degrees returned to their Allegiance; yet the King continued all this Winter in France.

As for Ecclesiastical Affairs, this Year affords little, [1] only Robert Grosstead, Bishop of Lincoln, having received a Letter or Brief from Pope Innocent, commanding him (as he had often done several other Prelates of England) to do somewhat that he thought unjust and against Reason. He wrote to him a long Epistle, (which you will find in our Author at large) wherein, though he professes all due Obedience to the Apostolical Commands, yet he is utterly against such as wholly contradict all those Precepts, since they can be no other, than what are consonant and agreeable to the Doctrine of our Lord Jesus Christ, and his Apostles; Then he taxes the Clause of *Non-obstante* in the Pope's Bull, as a Cause of many great Evils in the Church, (which he there reckons up) and afterwards proceeds to reprove his bestowing of Benefices on such as (contrary to Christ's Institution) take no care of the Flock committed to their Charge; all which Abuses, though contain'd in the Pope's Letter, yet out of that Fidelity and Obedience, which he ow'd to the Apostolical See; and that Union which it holds with Christ's Mystical Body, he cannot obey, but must contradict and oppose, as being directly contrary to the Catholick Faith, and the Sanctity of the Church of Rome; and for which refusal his Holiness ought not to punish him, because, such a Contradiction is no Rebellion, but part of that honour which is due to the Divine Commands, and the truest Respect that could be shewed to himself; and therefore briefly minds him, That the Apostolical See can act only for the Edification and not the Destruction of the Church; whereas those Provisions (that were then sent him) tended to the quite contrary ends; In all which, the Bishop very well distinguishes between the right Use, and Abuse of Ecclesiastical Authority, making only the former to be Obligatory, and thereby wholly destroying the Modern Doctrine of a blind Obedience, without Reserve, to all the Pope's Commands, as Infallible.

When the Pope had received these Letters, he fell into a great Passion, calling the Bishop an old, rash, dotting Fellow, threatening to ruine him, and to command the King of England, his Vassal, to clap him up in Prison: But it seems, one Giles, a Spanish Cardinal, and others, mitigated his Holiness's Wrath, telling him, That he ought not to decree any thing against the Bishop, since they could not deny what he had said to be true, nor could they condemn him,

Anno Domini
MCCCLXXXIX

[5]
Id. p. 879.
Upon which
the Gascoignes
return to their
Allegiance.

[1]
Id. p. 880.
The Bp. of
Lincoln having
received an
unreasonable
Letter from
the Pope, re-
turns him a-
nother, full
of sharp Re-
flections.
Non-obstante

Anno Dom.
MCCLIII.

being much more Learned and Holy than themselves; and that if he stirred farther in it, this Letter, when it came to be generally known, would excite many more against him: Therefore the Pope thought it better to connive at and dissemble his Resentments against the Bishop, lest he might raise a Tumult which he could not easily appease.

This I have thought fit to mention, that so the Reader may observe there were even in that Age some Bishops (though but few) who were not only sensible of, but declared against the Abuses then practised in the *Roman Church*, and that to the Pope himself, who was indeed the Author of them; but this good Bishop died not long after.

Anno Dom.
MCCLIV.

[2]

id. p. 881.

The K. summoned a Parliament in his absence, where his Commissioners declared his desires.

They endeavoured to make them believe, that the K. of Castile was still an Enemy.

[3]

P. 189.

The Sum of the Queen's and Earl Richard's long Letter to the King.

[4]

id. p. 882.

[2] This Year, the King keeping his *Christmas* in *Gascoigny*, on the Seven and Twentieth of *January* almost all the Great Men of *England* were summoned to Parliament, where appeared on behalf of the King, his Commissioners who were newly returned from *Gascoigny*, viz. *Roger Bigot*, Earl-Mareschal and *Gilbert de Segrave*, and declared his desires to the whole Body of *England*; there were also present *Richard* Earl of *Cornwall*, and the Queen, with all the Bishops, except those that were then with the King: The Message delivered in this Meeting from him, was, That he had been deceived in the King of *Spain*, whom instead of a Friend, he had found a cruel Enemy, and therefore now required a powerful Assistance from them. What was done upon this Message, best appears by the Queen's and Earl *Richard's* Letter to the King, to be found in the [3] Additaments of *Matt. Paris*, to this Effect;

That they had received his Majesty's Letters at *Christmas*, and had according to his Commands summoned the Archbishops, Bishops, Earls and Barons of the Kingdom, on the Morrow after the Feast of *St. Hilary*, acquainting them with the State of his Affairs. That the King of *Castile* was coming against him into *Gascoigny*; but since the shortness of the time would not permit the said Great Men to meet at that Day, they had summoned them to *Westminster* Fifteen days after that Feast, (i.e. the Seven and Twentieth of *January*) and that the Earls and Barons, after they had heard the Cause of their Meeting, offered to be ready at *London* three Weeks after *Easter*, to march from thence to *Portsmouth*, and there Embark themselves to relieve *Gascoigny*, in case the King of *Castile* should invade that Countrey; That the Archbishop of *Canterbury*, the Bishop Elect of *Winchester*, with the Bishops of *London* and *Worcester*, all promised they would come over to him with a good Strength. That the other Bishops and Abbots had likewise promised a large supply in Money: And Earl *Richard* further signified to him in the same Letter, That he would not fail him of a Supply answerable to his Necessities and his own Honour, if the King of *Castile* should arm against him; and that he would leave the Kingdom in good hands, by advice of the Queen, and bring her and the Prince over with him. [4] Yet for all this they did not believe the King of *Castile* had any such design; and so the Council was dissolved without any great effect.

Then

Then Fifteen Days after *Easter*, the Great Men were summoned again to *London*, where the King upon the same Reasons made the same Demands, and received the same Answer; for then their Suspicion, that the King of *Castile* had no such Design against King *Henry*; but on the contrary, that a Peace was concluded between them, were confirmed by *Simon* Earl of *Leicester*, who was newly returned from beyond Sea: Thus this politick Design of the King to get Money being discovered, the Great Men of the Kingdom easily avoided the Traps that were laid for them; and so departed in great Indignation, without giving the King any Assistance.

Anno Dom.

MCCLIV.

[5]

Id. p. 857.

The Great

Men are a-

gain summo-

ned to *London*,

but refuse to

give the K.

any Aid; with

the Reason

thereof.

[1] About the same time the King being resolved to have Money by one means or other, fell upon the poor *Jews* so violently, that they grew weary of their Lives; for Earl *Richard* now required of them so great a Sum, under pain of Death or Imprisonment, that their Chief *Rabbi* or Elder, plainly told him and the Jews then present, That since they found the King was resolved to ruin them, and had favoured the Pope's Usurers against them, and suffered them to get what they pleased to their great impoverishment, and since the King required more than they had, they therefore desired leave to depart the Kingdom; but though the Governours squeezed them almost to the utmost Farthing, yet would they not let them go.

[1]

Id. iv.

The K. to get

Money un-

mercifully

squeezes the

Jews.

[2] About the end of *May*, the Queen (notwithstanding she had lately received the King's Commands to the contrary) with her two Sons, Prince *Edward* and *Edmund*, and her Uncle the Archbishop of *Canterbury*, took shipping at *Portsmouth* and arrived at *Normandy* the last of the same Month; [3] and not long after their landing, Prince *Edward* was sent in great State to *Alphonso* King of *Castile*, where having married his Sister *Eleanor* at the City of *Burgos*, he was by that King Honourably sent back to his Father, together with his Bride: Upon his arrival, King *Henry* settled upon him and the Princess his Wife all *Gascony*, *Ireland*, *Wales*, and all the City and Towns of *Bristol*, *Stafford*, and *Grantham*;

[2]

Id. p. 829.

The Queen

with her Sons

passes over in-

to *France*.

[3]

Id. p. 830.

Pr. *Edward* issent into *Spain*,

and being

there Married,

is sent with his

Bride back to

his Father.

and from that time the King began to prepare for his Return into *England*, when upon stating the Accounts it appeared that his Expences in those Expeditions amounted to Twenty thousand and seven hundred Pounds and more, besides the Lands, Wardships, and Rents he had given to Strangers, and moreover Thirty thousand Marks he had bestowed, and expended upon his *Poitrovin* Half-Brothers; but which was still worst of all, our Author here relates, that it was all to little or no purpose, for that when the King was told of this great Expence by one about him, he replied, *Oh, for the Head of God say no more of it, lest the very Relation make Men wonder and stand amazed!*

The K.'s vast

Expence in

this Expedi-

tion.

[4]

Id. p. 891.

Upon E. *Richard's*

refusal

to accept the

Pope's Offer

of the King-

dom of *Sicily*,

he makes the

same Offer to

K. *Henry*, who

unwisely ac-

cepts of it for

his Son *Ed-*

mund.

[4] About this time Mr. *Albert* the Pope's Nuncio returned to *Rome*, and certified his Holiness that the Proposals made to *Richard* Earl of *Cornwall* concerning the Kingdom of *Sicily* and *Apulia* could take no effect, nor would he expose himself to uncertain Events, requiring of the Pope Security and Pledges for what he should undertake, and Money also towards his Charges in subduing that Kingdom, with some of his Castles for Places of Retreat. Upon this

Ann. Dom.
MCCIV.

Cor. King of
Sicily deceased.

[5]
Id. p. 193.
Vid. Addit.
p. 193.

this News the Pope sent private Nuncio's to King Henry, and offered him that Kingdom for his Son *Edmund*: Upon this the King was very forward to embrace the seeming Favour, and received it with much Satisfaction; and to make way for him, Pope *Innocent* the Fourth had lately accused *Conrad* Son of the Emperor *Frederick* the Rightful King, of Heresy, Murder, and other great Crimes; to all which Accusations [3] He gave a very clear Answer; yet died not long after to the great Joy of the Pope, who presently subdued almost all *Apulia*: But both the *Sicilian* and *Apulian* Nobility, rather than be under his Government, set up *Manfred* an Illegitimate Son of the late King *Frederick*, and did Homage and swore Allegiance to him.

[1]
Id. p. 195.
K. Henry to
void a long
Sea-Voyage,
passeth through
France.

[2]
Id. p. 196, 199,
200.

Where he is
met at Cher-
bourg by the
K. and Q. of
France, &c.

The K. arrives
at Paris, & is
there magnifi-
cently enter-
tained by K.
Louis.

K. Henry takes
his leave of
K. Louis with
great Tender-
ness.

Ann. Dom.
MCCV.

[3]
Id. p. 201.

K. Henry wan-
ting a Wind,
keeps his
Christmas at
Bologne, and
then passes
over into Eng-
land.

[4]
Id. 16.
The Londoners
make the K.
Present of
100 l.

[5]
Id. p. 202.
But the King
not satisfied
therewith,

[1] King Henry having thus made Peace with the King of *Castile*, desiring rather to return by Land, than undertake another tedious Sea-Voyage, asked Leave of the King of *France* to pass through his Kingdom, which was not only granted, but also he himself met the King of *France* at *Cherbourg*, [2] where he was then attended by a Thousand brave Hosts with Noble Riders, besides Sumpter-Horses and other Carriages. There were with him his own Queen, and his Sister the Countess of *Barrois*, and there the Duchess of *France* met them, with her sister Sister the Countess of *Artois*; whither also came the old Countess of *Provence*, Mother to all these Ladies; and from thence they were conducted to *Paris*, where for eight Days they remained together with great Joy and Satisfaction, making mutual and fragrant Entertainments: After which time, the King of *France* brought King Henry one day's Journey towards the Sea-side, where they took their leaves of each other with great Tenderness and Affection; but King Louis at his departure bid him to King Henry, saying, *Où va le Pair de France* (and the *Barons* of my Kingdom) *could give what Counsel, and then we shall be inseparable Friends?* King Louis spoke this with respect to *Normandy* and some other Territories, which his Nobility would not permit him to return to the King, the right Owner, and which it seems troubled the Conscience of this pious Prince.

[2] When the King of *England* came to *Bologne*, he found the Wind contrary to him, so that he was forced to stay there on *Christmas* Day (being Friday;) and on Sunday following the Wind stood fair, and he then being on board landed at *Dover*, where his Brother *Richard* Earl of *Cornwall* met him, with many of the Nobility of *England*, as also of the Bishops, Abbots, and Priests, all making him Noble Presents in Gold and Silver, which went towards the Payment of his Debts; but they were now so great, that all this, and several times as much more would not have sufficed to discharge them.

[3] So soon as the King came to *Town*, the *Londoners* sent certain Persons to congratulate his Return, with the Sum of One hundred Pounds, which being no more than was usual on such Occasions, was now looked upon as a Debt; and the King was so far from thanking them for it, that he openly declared they had given him nothing but his due; but if they would merit his Thanks, they must make him some richer Present. [4] Whereupon the *Citizens*

zens came again with a rich Piece of Plate exquisitely wrought, which being presented to him, he seemed to receive it kindly.

*Anna Dom.
MCCCLV.*

*they present
him with a
rich Piece of
Plate.*

11

*A certain
Clerk being
put in*

*upon sus-
picion of mu-
thering a Pri-
or, and esca-
ping.*

*The City is
fined 2000
Marks.*

*The Jews de-
fire leave to
depart the
Kingdom;*

*but the K. af-
signed 'em o-
ver to his Bro-
ther Earl Ri-
chard.*

12

13

14

15

16

17

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Army, most of which were sent away before, through the Treachery of the General.

The Pope had sent Edmund the K's Son a Ring, in token of his Investiture of Sicily.

The News of this Defeat put the Pope into great Confusion, because he had promised *Sicily* and *Apulia* to the King of England, who (as the Writers of this time report) had paid this Army for the life of his Son *Edmund*, to whom the Pope had sent a Ring of Investiture by the Bishop of *Bononia*, then upon his Journey towards *England*: And here our Author (and that justly enough) falls into a great Exclamation against the Ambition and Covetousness of the *Roman See*.

[5]
12. p. 908.
The Complaint of the Q. of Scots hard usage, the K goes to Edinburgh to visit her.

[5] The King having received many Complaints from his Daughter the Queen of *Scots*, of her hard Usage from that Nation, went to *Edinburgh* to visit her; and when he came upon the Borders of *Scotland*, sent before him *Richard Earl of Gloucester* and *John Mansel* his Clerk, to see how things stood, and to enquire and examine whether the Complaints she made of *Sir Robert de Ross* and *Sir John Baliol* (for these with others had been appointed Governours of the King, Queen, and Kingdom) were true, for they were accused of keeping the Queen like a Prisoner, and that the King was not permitted to enjoy her Embraces. Upon their arrival *Robert de Ross* withdrew himself, but afterwards appeared, and with *John Baliol* submitted to a Fine for their Miscarriages: Then the King and Queen came together again, and being put into such a Condition as they liked, King *Henry* took his Leave of them, and returned into *England*.

[1]
12. p. 919.
An. Barton, p. 348.
Peter Ep. of Hereford finds out a very knavish Invention to help the K. to Money.

[1] About this time *Peter Bugeblank* Bishop of *Hereford* (a Foreigner) observing the King uneasie, by reason of his great want of Money, found out a new, but knavish Invention for a Supply, with which he acquainted him; and then by his Order went to *Rome* toward the end of Summer (having *Robert Walleran* a Knight joined in Commission with him) to perfect this Project, where he found the Pope very Melancholy for the great Debts he had contracted, which yet he said the King of *England* was obliged to discharge under the pain of being *Disinherited* and turned out of his Kingdom: The Bishop observing the ill Posture of the Pope's Affairs, comforted him with a Way he had found out to help him, and by the Assistance of some Cardinals (whose Advice he followed to bring about the Designs of his Predecessor) the Bishop obtained from him what he pleased. Now his Project was, to produce certain forged Obligations under the Seals of as many Bishops, Abbots, and Priors, as he pleased, in the Sum of Five, Six, or Seven hundred Marks a-piece, or more [2] to this or that *Sicilian* or *Florentine* Merchant (or Usurer) as if it were for Money really borrowed of them, and expended at *Rome* about the Affairs of their particular Churches; which Cheat was also confirmed by the Pope's Breve to the said Bishop (who took upon him as Agent for the Bishops and Abbots) as is to be seen in our Author at large. This Grievance, *Matth. Paris* tells us, exceeded all that ever went before it, and afterwards involved many Prelates in great Losses and Troubles, as in due time shall be declared.

[2]
M. P. 111.

[2] Some

[3] Some time after *Michaelmas*, the Lady *Eleanor*, Daughter to the King of *Castile*, and Wife to Prince *Edward*, arrived in *England*, and was received by the *Londoners* with great Pomp; her Lodgings were immediately furnished with Hangings and Foot-Carpets after the *Spanish* Fashion: This seemed very strange and superfluous to the *English*, who were not accustomed to such State and Magnificence; and the Great Honours paid the *Spaniards* were very ungrateful to the Natives: But Prince *Edward* himself did not come over into *England* till the end of *November*.

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[1]

Id. p. 914.
Eleanor, Wife
to Pr. Edward,
arrives in
England, and
is received
with great
Pomp.

[4] About the Feast of *St. Edward* (or Thirteenth of *October*) the Bishop of *Bononia* arrived, and brought the Ring with him which the Pope had sent *Edmund* the King's Son, by which in a numerous Assembly of Great Men, the Legate solemnly Invested him with the Kingdom of *Sicily* and *Apulia*; at this the King was as much pleased as if he had then received the Homages of the *Sicilians* and *Apulians* themselves, or had been possessed of their Castles and Cities.

[4]

Id. p. 811.
Upon the arrival of the
Bp. of Bononia
with a Ring,
Edmund the
K.'s Son is so-
lemnly inve-
sted with the
Kingdoms of
Sicily and
Apulia.

[5] About this time also Pope *Alexander* sent Mr. *Rustand*, a Lawyer and Canon-Lawyer, and one of his Sub-Deacons, into *England*, giving him, the Archbishop of *Canterbury*, and the Bishop of *Exeter*, Power to gather a Tenth in *England* and *Ireland*, to the use of the Pope or King, indifferently, Notwithstanding any former Laws or Indulgences, in any Town, or for what cause soever granted to the contrary: He also gave them Power to absolve the King from his Vow of undertaking the Expedition into the *Holy Land*, provided that he would make another into *Apulia*, against *Manfred*, a professed Enemy to the Church of *Rome*. To this the King should be sworn by the Bishop of *Bononia*; and the better to put him on, the Pope gave him all the Moneys in *England*, which were to be collected toward the Maintenance of the intended Expedition to the *Holy Land*. Thus did not the Pope at that time stick at any thing (right or wrong) that might advance his own Interest and Grandeur.

[5]

The Pope
sends over a
Legate to col-
lect a Tenth
from the
Clergy in
England and
Ireland;
With Power
also to dis-
pense with
the K.'s Vow
for the *Holy*
Land.

[1] Upon the Feast of *St. Luke* (or Eighteenth of *October*) almost the Great Men of *England* met at *Westminster* in Parliament, where the King earnestly pressed his Brother, Earl *Richard*, for some Supply of Money, to whom the Pope also wrote, urging him to lend his Brother Forty thousand (whether Marks or Pounds is uncertain) that he might shew a good Example to others; but this Politick Earl was not to be prevailed upon, either by the Intreaties of the Pope, or the Importunities of the King, because he had undertaken this *Apulian* Expedition without Advice, being wheedled into it by the sly Insinuations of the crafty *Barons*, and against the Assent of the Baronage of the Kingdom, many of whom being moved about the same matter, replied, That they had not been all summoned according to the Tenour of the Great Charter; and there they would then make no Answer, nor grant any Aid without their other Peers, who were absent; so this Parliament, after many needless Delays, was continued a Month longer, while the Great Men emptied their Purses at *London*; and then returned home without doing any thing considerable.

[1]

Id. ib.
The Parlia-
ment meets a-
gain at *West-*
minster, where
the K. presses
his Brother E.
Richard to
give or lend
him a Supply.
Which the
Earl positive-
ly refuses;
As do also
many of the
Barons, who
make Excuses
to gain time,
till at last the
Parliament is
dissolved.

[2] This

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[1]
Dr. P's Chron.
A great Quar-
rel among the
Princes of
Wales, and on
what occa-
sion.

[2] This Year affords little of Foreign Affairs, only there arose a great Quarrel between the Princes of *Wales*; for *Owen*, the Elder Brother, could not be content with half the Principality, but got his Younger Brother *David* to join with him, and they two levied a great Army, with a design to disinherit *Llewellyn*; but he with his Men met them in the Field, and after a long and sharp Fight gave them an entire Defeat, took both of them Prisoners, and then seized all their Lands, enjoying alone the whole Principality of *Wales*.

[3]
M. P. p. 912.
A barbarous
Action of the
Jews at Lin-
coln, who
Crucified a
Boy.

Before I conclude this Year, I cannot omit a barbarous piece of Cruelty related by our [3] Author, concerning the *Jews*, which does in great part justify the Government's severe treatment of them, provided it were true, as perhaps there may be too much grounds to believe it: He relates that about the end of *June*, the *Jews* at *Lincoln* stole a little Boy, named *Hugh*, of about Eight Years of Age, and after they had kept him up for some time, they in reproach to our Saviour Crucified him in a great Assembly of theirs from all Parts of *England*, having first tormented, and done all those opprobrious things to him, that we read were done to *Jesus Christ* himself; and that when he was dead, they flung the Body into a Well, where the Mother of the Child (going into a *Jew's* House to search for him) discovered him by chance; whereupon the *Jew* that own'd the House being taken, confessed the whole Matter, and farther, That almost every Year they did Sacrifice a Child in like manner; This being discovered to *John de Lexington*, a Discreet and Learned Man in the Laws, he promised the *Jew* his Life to make it out; but when the King heard of it, he was very much displeased at it, and would not give him his Pardon; so that not only the Discoverer, but also near an Hundred other *Jews* were condemned, (as they well deserved) for having a Hand in so barbarous a Murder; though most of them were afterward pardoned by the Intercession of the *Friers Minors*.

[4]
Id. p. 905.
Walter de Gray
A. B. of York,
deceases.

And Sewal
succeeds him.

As [4] for Ecclesiastical Affairs, there happened none this Year, but what have been already mentioned, except the Death of *Walter de Gray*, Archbishop of *York*, a Person of great Prudence and Integrity; he held the See near Forty Years, and was succeeded by one *Sewal*, Dean of that Church, a modest and pious Person, tho' he

[5]
Id. p. 918.
The Author's
Representati-
on of the sad
Condition of
the Church in
those Times.

[5] Our Author concludes this Year with an Account of the sad State of the Church of *England* during these Times, when the Pope and the King combining together, and dividing the Spoil, peel'd the poor Clergy at their Pleasure, none daring upon pain of Excommunication to oppose them: In the mean time, the King stood obliged to the Pope in near Two hundred thousand Marks, and the Bishops and other Prelates in Fifty thousand, though without their own Knowledge or Consent. *Matt. Paris* here also sets forth the horrid Abuses and Grievances, that then abounded both in Church and State, in these Words: 'The Sacred Privileges of Churches now signifie nothing, and though the Pope hath a Power only for 'Edification, and not for Destruction, (as *Robert Bishop* of *Lincoln* has observed) yet the Tax upon the Clergy, which was granted

at first but for Three is now changed into Five Years, and formerly Laymen paid Tythes to the Clergy; but now even the Prelates were compell'd to pay Tenths to the Layety; an Aid was granted in succour of the *Holy-Land*, and (we the Clergy) are compell'd to pay it to fight against the *Christians in Apulia*; a Tenth was also granted by us to the King for the observation of the Great Charter, which notwithstanding is not kept; besides many other Grievances then done to the Clergy and Church of *England*, by the Pope's means, though with the Privy and Connivance of the King himself, too long to be here repeated: Which though omitted by Dr. Brady, yet we may from hence observe the sad Condition of the People, where the Prince, instead of defending them, gives them up for a Prey to a Foreign Power.

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This being the Fortieth Year of the King's Reign, [1] he kept his Christmas at *Winchester*, where his Half-Brother, the Bishop Elect of that City, entertained him at his own Charges; but when the King would have interceded with him for the Monks of that Church, whom he then cruelly oppressed, all the Answer he could get of him, was, That so long as he had any Money, he would not stick to bestow it at *Rome*, till he had got his Will of these Obstinate and Stubborn Monks.

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[1]

Id. p. 919.
The K. keeps his Christmas with his Brother the Bp. Elect of Winchester, but yet can obtain no favour for the Monks of that Church.

[2]

Id. ib.

Great complaints of the Merchants of Gascoigny, and Fr. Edward himself declares against it. Upon which the King is highly incensed.

[3]

Id. p. 920.
An Eclipse of the Sun.

[4]

Id. ib.

The Clergy meet again at London to give an Answer to the P's Nuncio.

To whom Master Leonard, the Deputy for the Clergy, makes a wise and modest Answer.

[2] There were at this time likewise, great Complaints made by the Merchants of *Gascoigny*, against the King's Officers for taking away their Wines without paying for it; and Prince *Edward* (on whom that Countrey was now settled) declaring he would no longer suffer such Abuses, the King was very angry at it, and said, *The Days of King Henry the Second were return'd, when the Sans Rebelled against their Fathers*; yet at last, taking better Advice, he passed it over, and promised to make Satisfaction for those Injuries; however, the Prince looked to himself, and encreasing his Retinue, rid abroad with Two hundred Horse, as his *Garde du Corps* in his Train.

[3] During the Christmas-Holidays, (*viz.* on the Thirtieth of December) the Sun was Eclipsed, which was here but in part, though in *Spain* it was almost quite dark'ned.

[4] On the Feast of St. Hilary, the Bishops and Archdeacons met again at *London*, where they were much pressed to give an Answer to Master *Rustand* the Pope's Nuncio, (or rather the King's Agent) to whom, upon his urging that all Churches belonged to the Pope, Master *Leonard*, (already mentioned) as Deputy or Prolocutor for the whole Clergy, return'd this Wise and Modest Reply, 'That they did so indeed, but it was on this Account only, that he should defend them, and not appropriate them to his own Use, and that this was the Intention of their Founders, according as we say also, when we affirm, That all things are the King's; yet we still mean it is to Protect, and not to waste and destroy them; at which Answer the Nuncio being very much nettled, he bid every

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one speak for himself, that the Pope might thereby know, as well as the King, who were for, and who against them in this Affair; at which they were all of them so astonished, that they knew not what to answer, for it now appeared very plainly, that the Pope and the King had combin'd together to undo the Clergy, and therefore they appeal'd against these Demands.

[1] Id. ib.
Yet the Nun-
cis would take
no notice of it,
but falsely writ
to the P. That
the Prelates
had own'd the
Receipt of
great Sums
from Italian
Merchants.

[5] Notwithstanding all which, Master *Rustand* would not alter one tittle of what he had written in his Letter to the Pope, wherein was inserted, That the Prelates had own'd, they had received no small Quantity of the aforesaid Money from the *Italian* Merchants, which was known to all there to be false; and they affirmed, (not without reason) that it was better for them to suffer with *St. Thomas* the Martyr, (viz. *Thomas Becket*) than to endure his Oppression any longer; but when the Nuncio saw how heinously all there took this Usage, he became more moderate in his Temper, and dissembling what he had done, only said, That he would speak further with the Pope about this Affair: However, they would not trust him, but immediately dispatched away the Dean of *St. Pauls*, and some others, to *Rome*, on the behalf of the Clergy, for they fear'd to be born-down by two such Potent Adversaries as the Pope and the King; and they were likewise afraid, that this being drawn into Example, might tend very much to the Prejudice of the Church of *Eng-land*.

[1] Id. ib.
The Clergy a-
gree that the
Clause in *Mag-
Charta*, which
contained the
freedom of
Elections,
should be laid
before the P.
[2] Id. p. 921.

[1] It was also about the same time agreed by the Clergy, That that Clause of King *John's Magna Charta*, which concern'd the Freedom of Election of Churches, and had been then confirm'd by Pope *Innocent*, should be now carried to *Rome*, but to what end serves all this [2] says our Author, when Whisperers and Flatterers of Great Men pervert all things, and put a wrong Interpretation upon them? And all the Answer they can receive from the Pope and his Cardinals, is, *That we must not in these times offend Princes*; adding withall, That they must now dissemble and pass by many things; and so, by reason of this pretended Fear, Justice is seen very much to fail in that Court.

I have been the more Particular in relating all these Proceedings with the Clergy, as also our Author's Reflections upon them, that so the Reader may observe the great Corruption of the Court of *Rome* in those Times; as also the slavish Subjection which the Clergy and People of *England* were then forced to undergo; and I hope they will not seem tedious, though *Dr. Brady* has thought fit to omit them.

[3] *Annal. de Bar-
ton, p. 371.*
Upon the Ar-
rival of the
Arch B. of
Messina there is
a great meet-
ing of the
Clergy and
Laiety at
Westminster.
Where the
Business of
Sicily is pro-
posed to them.

[3] Not long after which, (viz.) on the First Sunday in *Lent*, the Archbishop of *Messina*, being lately arrived, and a Great Assembly of the Prelates, and Clergy, and Laiety, were then conven'd in the Chapter-House at *Westminster*, and there he propounded to them the Business of *Sicily*, for which he was lately sent

sent over hither by the Pope, who endeavoured by his Letters, as *Anno Dom. MCCCLVI.* his Legate did by his Persuasions, to induce them to join with the King in the prosecution of this Design: But after some Days of deliberation, the Clergy and Laity drew up their Reasons against it, and delivered them to the King and the Archbishop, both in French and Latin, as follows;

The Reasons of the Great Men against the King's Expedition into Apulia.

First, [4] The Distance of that Kingdom from England: Also the Passage through the Territories of Potent Princes that were Enemies to the King; as likewise the Possession of *— and other Places by the Enemy, which were Passes to other Parts of that Kingdom. [4] Id. ib. The Reasons of the Great Men against the K's Expedition into Italy.

Item, The present Confirmation of a new Prince in that Kingdom.

Item, His Confederation and Amity with the Natives and Neighbours. *Somewhat is here wanting in the Original.

Item, His Possession of almost all the Cities, Castles and Fortresses.

Item, His great Revenue out of that Kingdom.

Item, The great Charge the King had been at, and as yet had received no Advantage by it, but rather Loss.

Item, The vast and necessary Expences yet to come for the Payment of his Debts, for the length of the Voyage thither, and for the obtaining of which Kingdom all England would not suffice.

Item, The late Impoverishing of the Kingdom of England, by many and frequent *Iters*, or Circuits of Justices, by Extortions, and many sorts of Tolls and other Oppressions.

Item, The small stock of Money the King and his Son were furnished with for this Attempt, and the Poverty of the Inhabitants of England, both Clergy and Laity.

Item, The Troubles of Gascony, Ireland, and Scotland.

Item, The Incurfions of the Welsh.

Item, The Diminution of the Power of England, in Council, Money, and Men, which was like to happen by Richard Earl of Cornwall's sudden leaving of it.

Item, The King of France, and the Great Men of the Neighbouring Nations, especially such as heretofore had Lands in England, would be encouraged to make attempts upon it, when, to carry on this Design upon Sicily, England was emptied of Men, Arms, Counsel, and Money.

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Item, We cannot, nor ought to agree, That the King take upon him the Burthen of this Expedition, lest he may seem to have delivered himself into the hands of his Enemies by our consent; neither can nor will we undertake the Burthen of the said Affair with the King, for the Reasons aforesaid, and for the great Hazard and vast Expences, which we can never bear or overcome.

Lastly, For the difficult and grievous Conditions imposed upon the King, by his acceptance and first undertaking of this Business, by reason whereof, after infinite Charge and Labour he may easily be laid aside, or lose the Right of that Kingdom.

The King's Demands were as follow.

[5]
Id. p. 374

WHEREAS [5] the King, by the Common Advice of the whole English Church, upon the Grant of the Kingdom of Sicily to his Son Edmund, had obliged himself to the Pope to pay all past and future Charges of acquiring that Kingdom; he now desired that the whole Clergy and Laity would become obliged for the entire Debt, or at least for the Interest or Penalties thereof, to which he had bound himself. Also he demanded of the Clergy, that the Tenths of all their Benefices might be continued to him for Five Years, according to the new Taxations of the true extended Value, only necessary Expences deducted.

Also he demanded the First Year's Profits of all Benefices that should become void, for Five Years: Also he required half the Benefices of Non-Residents: He likewise was asked the Profits of all Benefices of Priviledged Persons (*viz.* such as had *Sine-cures*, or had Dispensations for Church-Livings without performing any Service) except one Benefice, which the Priviledged Person might choose: Moreover, he desired all uncertain Legacies, such as were indistinctly given, without naming any particular Charity, and left to be disposed of according to the Discretion of the Priest, Confessor, or Ordinary.

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[1] *The Reasons of the Bishops and Clergy against the King's Demands, were these that follow.*

[1]
Id. ib.

First, The King's Demands seem not satisfactory, because a great Sum of Money had been already unprofitably spent and utterly lost: Also, we were not required to contribute to the Payment of that Money from the beginning, nor are we any ways bound for it; nor did the King contract or make this Bargain with the Pope, by our Consent, either tacit or express; nay, we knew nothing of it, and therefore we neither can, nor ought to be urged any further to carry on this Business.

Also, when we have nothing but the Patrimony of Christ, (whose Stewards we are) that which by the Divine Law we are bound to give to the Poor, we cannot give to Kings, unless we mock God, and convert Ecclesiastical Goods to prohibited Uses, which for no Reason we neither will, nor ought to do.

Besides, the whole Kingdom is not sufficient to bear such a Burthen, although Gold were as Dirt, especially since the Kingdom of Sicily is Inexpugnable, and Inaccessible to our Armies; and although we might have stipendiary and hired Soldiers of that Nation, yet their Faith may justly be suspected: Also, if the English Militia should be conducted to those Parts, with as much Money as was necessary for them, we might yet fear the Neighbour-Kingdom would invade ours, and so both Kingdoms might be lost, as well this in possession, as that which is coveted; especially when the King of the Romans that is to be, will carry a good part of our Militia with him.

Also, we are sensible of the Inroads of the Welsh, and 'tis most necessary to defend our own Kingdom, rather than to expect to Conquer another: 'Tis said likewise, That there is a Composition between the Church and Manfred concerning the Kingdom of Sicily, and all that belongs to it, as Publick Fame relates.

[2] Yet notwithstanding all these substantial Reasons, the Clergy being Canonically admonished by *Rustand* the Nuncio, they at last tamely submitted, and firmly promised to obey the Pope's Commands, which was to do what the King desired, that so he might be furnished with Money to pay him his Demands, for what was expended towards the Reduction of Sicily and Apulia. For the Debt the Pope claimed of the King, besides what Money he had already received of him, was One hundred and thirty five thousand Marks Principal, and Five hundred and forty more for Interest; and this

[2]
Ror. Ch. 40H.3.
M. 13.
Yet notwith-
standing all
these Reasons,
the Clergy
submit to the
Pope's De-
mands.

was

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was to be paid by *Michaelmas* then next coming; before which time also the King was either to come in Person, or else to send a General with competent Forces, otherwise the whole Contract, Bargain, and Grant, were void, if he deferred either his coming or sending thither after that time: And not only so, but the King was to be, and remain *Excommunicated*, and his whole Kingdom put under *Ecclesiastical Interdict*. The fear of the Execution of which Sentence had such an effect upon the King, that he prayed further time of the Pope for performance of the Contract. But yet notwithstanding these Discouragements, and the hard Conditions imposed upon him, he resolved to prosecute this Enterprize, against the Sense of his Great Council: All which Matters of Fact, is very evident from his Letters to divers of the Cardinals, which Dr. Brady has given us at large in his *Appendix* (N^o 185, 186.) from the Records in the Tower above cited.

[3] But to give you some Account of Foreign Affairs: [3] About *Candlemas* this Year, the King of *France* held a General Assembly of the Estates, or Parliament (as our Author terms it) to which the King of *England* sent his Ambassador, requiring his Rights beyond the Seas; for he was now resolved to seem formidable to the *French*; but however he could receive nothing from them but a flat Denial: Yet Mr. Mansel, the King's Envoy, having lately had an account of the total Rout of the Papal Forces, thought it best to omit one part of his Errand, viz. to demand free Passage for the King of *England*, or his General, to march with an Army through *France* into *Italy*.

[4] At *Easter* King Henry Knighted Magnus King of the Isle of *Man*, and bestowed on him great Presents at his Inauguration; and about the same time came out a Royal Edict, or Proclamation, whereby every one who held Fifteen Pounds per Annum in Land, should take upon him the Order of Knighthood; and that those who did not desire it, or could not sustain the Dignity as they ought, should buy it off with Money.

[5] Also this Year the Citizens of *London* were made to pay another Talliage of Five hundred Marks; these Talliages were under various Pretences, as sometimes they were for the use of the King, sometimes of the Queen, &c. Thus were they treated like Slaves, notwithstanding all Liberties or Exemptions they had to the contrary.

[1] In pursuance of [1] the Bishop of *Hereford's* Contrivance of binding Abbeyes, Monasteries, Prelates, and Churches to foreign Merchants before mentioned, the Abbey and Convent of *St. Alban's*, on *Palm-Sunday*, received Letters from the Pope, letting them understand, That they were to pay Five hundred Marks to certain *Italian* Merchants, to whom, he said they were bound in that Sum within a Month, otherwise, after that time, they were to stand suspended. This was the Tenour of those Letters, whereas they did not know they were bound to any Man living. In like manner was it with other

other Monasteries that were also thrust under the Yoke of these Merchant-Usurers; and that the Exactors might more effectually extort the Money from them, they said it was for the King's Use, who was now preparing for his Voyage or Pilgrimage for the Holy Land, though it was not at all intended.

Then [2] Fifteen Days after *Easter*, the Bishops in great Personality met at *London*, to answer Mr. *Rufand's* and the King's Demands: At first, by reason of their Disagreement, they were about to break up, and depart; but being encouraged by the Barons, they denied *Rufand*, and peremptorily told him, they would not contribute any thing to the King from their Baronies.

[3] In *August* the King and Queen of *Scots* came into *England*, and gave their Parents a Visit at *Woodstock*; from thence they went to *London* with a mighty Train, so that the Courts were constrained to take two different Roads, the Country being crowded with the great Numbers of the Nobility, Gentry, and their Retinues. On the Fifteenth of the same Month they came to *London*, where their Reception was Noble, and agreeable to their Expectations, it being expressed by all Demonstrations of Welcome in that City, and also at *Westminster*.

To return to Ecclesiastical Affairs: [4] About this time also was sent over the Pope's Bull to *Rufand* his Nuncio (which our Author has given us at large) commanding him to collect and receive from some of the Monasteries of *England* the Sum of Two thousand Marks, which (he said) they had obliged themselves to pay to the Merchants of *Sienna* at the Pope's Command; and that, in case of any delay or contradiction, he was to proceed against them by Ecclesiastical Censures, without any Appeal, and that notwithstanding any Apostolical Privileges or Indulgences to the contrary.

This Money was to be paid to certain *Florentine* Merchants there named, for maintaining the Garisons in the Kingdom of *Sicily*; but when the Prelates had heard how the Pope and the King had combined to oppress them, being ground as it were between two Mill-stones, they knew not which way to turn themselves, and so were forced quietly to submit to those Oppressions.

[5] But the Priors and Convents of *Durham* and of *Gisburn*, being thus forced to be bound in great Sums, were the only Abbeys that stood out against these cheating Obligations and unjust Suspensions, and would not bow their Knees to *Baal*; yet at last, having none to assist them, they also were compell'd to submit to the arbitrary Will of the *Roman* Court and its Merchant-Usurers, as well as the rest of the richer Monasteries.

[1] This

Anno Dom.
MCCLVI.

[1]
Id. p. 935.
The K. comes
into the Ex-
chequer, and
declares that
all Sheriffs,
that did not
appear and
bring in their
Money pro-
piously after
Michaelmas,
should be
grievously
amerced.

[1] This Year, on the Ninth of *October*, the King came to the *Exchequer* while the Barons were sitting, and with his own Mouth declared, That every Sheriff that did not appear within eight Days after *Michaelmas*, and bring in his Money, as well Fee-Farm Rents as Amercements and other Debts, should be amerced the First day Five Marks, the Second day Ten, the Third day Fifteen Marks, and the Fourth day to be more grievously fined, if they continued refractory, and would not appear: And he also declared the same thing against all Cities that had Liberties, and were to answer at the *Exchequer* by their own Bailiffs, so that the Fourth day they were to lose their Liberties, if they appeared not as well as the Sheriffs. Thus all the Sheriffs of *England* were Amerced each Five Marks, because they did not distrain every one that had Fifteen Pounds a Year in their several Counties, to come up and be Knighted; but they obtained some longer time, and so the King sent his Writs to them accordingly.

[2]
Id. p. 936.
The Bp. of
Ely deceasing,
the K. recom-
mends the
Keeper of his
Seal; but he
being refused
by the Con-
vent, and ano-
ther chosen, it
highly pro-
vokes the K.

[2] The Bishop of *Ely* being dead, the King by his Letters recommended *Henry de Wingham*, Keeper of his Seal, to the Election of that Convent, and sent special Messengers to that purpose; but the Convent would not comply with his Request, but chose *Hugh de Balsbam*, their Prior, Bishop. This so exasperated the King, that he would not accept of him, but ordered *John Walleran* (to whom he had committed the Custody of that Bishoprick) to cut down the Woods, and sell the Stock upon their Lands.

[3]
Id. lb.
The Pope's
Usurers cause
the Abbey of
St. Albans to
be put under
an Interdict.

[3] But the Pope's Exactors or Usurers fell most severely upon the Monastery of *St. Albans*; for about the Feast of *Simon and Jude* (i.e. the Eight and twentieth of *October*) it was put under an Interdict for Fifteen days, not that it wanted great Privileges, but that the detestable Addition of a *Non-abstante*, annulled all those Pious Concessions of former Popes; therefore the Convent rather chose to comply with an unjust and violent Sentence, than to be guilty of a Contempt.

[4]
Id. p. 937.
The Welsh be-
ing extremely
oppressed, take
Arms in their
own Defence.

[4] The *Welsh*, having been extremely oppressed, and the Govern- ment of their Countrey sold to such as would give most for it, and being at length harrassed beyond measure by Sir *Geoffrey de Langley*, the King's Receiver and Assessor of his Taxes, about the Feast of *All-Saints*, took up Arms for the Defence of their Countrey and Laws, and Invading the *English* Borders, destroyed the Tenants of Prince *Edward*, whom as yet they had not acknowledged for their Lord; whereupon, the Prince having no ready Money, borrowed Four thousand Marks of his Uncle Earl *Richard*, to raise sufficient Forces to suppress their Incursions, and enter their Countrey in order to make Reprisals; but the whole Winter was so Wet and Stormy, and the Places whither the *Welsh* had retired, were so Boggy and Impassable, that the *English* durst not attempt them, so that this Expedition proved ineffectual, and the Prince's Expences in vain: Our Author also here gives us but a bad Account of the Carriage of this

Pr. Edward
raises an Ar-
my to hinder
their Incursi-
ons, but to no
purpose.

his young Prince and those of his Retinue, that even Prince *Lewis*, *Anno Dom. MCCLVI.*
 he Invader of *England*, never brought over greater Plunderers:
 And the Monk tells us one Prank of this Prince, which made the
 People have no great hopes of him, which was, That as he was
 riding along the Road, he caused his Men to cut off one Ear, and
 and put out one Eye of a certain young Gentleman he met with,
 but upon what Provocation or Affront the Prince used him so bar-
 barously, our Author does not acquaint us. *A bad Account of this Prince his Youthful Pranks.*

[5] About this time the King forbade the Chancellor to issue out
 any Writs that might prove prejudicial to his Brother Earl *Richard*,
 or to *Richard* Earl of *Glocester*, *Peter* of *Savoy*, or any of the King's
 Half-Brothers, which (says our Monk) was contrary to the Law and
 Peace of the Kingdom: Also the King about the same time, (being
 necessitated for Money) forced such whom he thought fit, to be
 made Knights, or else to Fine off, and so be excused; He likewise
 caused all such as neglected their Suits to his Courts to be severely
 amerced, and taxed all Lands that held in Serjeanty; And ordered
 Enquiry to be made into Liquid Measures of Wine, Ale, and Dry
 Measures of Grain, as Gallons and Bushels, as also into Weights,
 and grievously punished (even above their deserts) all those whose
 Measures and Weights did not answer the Standard; by which
 means he raised a great Sum of Money, but lessen'd the Affections
 both of the Clergy and Laity towards him; and yet for all these
 Courses he could not retrieve himself from extream Poverty, for
 he had borrowed so much Money of the Pope's Merchant-Usurers,
 for the Promotion of his Son *Edmund* to the Kingdom of *Sicily*,
 that the Interest and Forbearance of it, amounted to a Hundred
 Pounds a Day; into so deplorable a Condition had this poor Prince
 now plung'd himself, through his too much credulity on the
 Pope's specious Promises. *[5] Id. ib. The K forbids his Chancellor to issue out any Writs against his Brothers, and several other Great Men, contrary to Law. And causes all that were qualified to take their Knight-hood, or to Fine off. And enquires into the faults of Measures, &c. And thereby raises much Money; yet all could not rescue him from extreme Poverty.*

As for the rest of the Ecclesiastical Affairs of this Year, *Matt.* Sentence of
Westminster takes notice of what *Matt. Paris* has omitted, viz. That at
 the end of this last Parliament the Sentence of Excommunication was
 afresh renewed against all Transgressors of *Magna Charta*, and that of
Forests, the form of which he has there given us at large, but
 needs not to be here repeated; only the Reader may observe, it
 was pronounced by Archbishop *Boniface* in the Great Hall at *West-*
minster, in the Presence of the King, his Brother the Earl of *Corn-*
wall, and divers other Earls and Bishops of the Kingdom, all holding
 Tapers in their Hands: But tho' the exact time of this Action is
 not mentioned in our Author, yet I thought fit to take notice of it,
 because this as well as the precedent Transactions (though very con-
 siderable) are omitted by Dr. *Brady* in his History. *Sentence of Excommunication was again passed upon all Infringers of the Great Charters. Anno Dom. MCCLVII.*

[1] This Year the King kept his *Christmas* at *London*, where came
 to him several of the Princes of *Germany*, who declared, that *Richard*
 Earl of *Cornwall*, was rightfully chosen by unanimous consent King
 of *Almain*, or the *Romans*, in the room of *William* Earl of *Holland*,
 who *Romans*. *[1] M. P. p. 939. Several German Princes declare E. Richard Elected King of the Romans.*

Anno Dom. who had been killed not long before in a Skirmish with the *Frisians*.
MCCCLVII. The Earl at first was unwilling to accept of this Dignity, being
 disheartned by the ill Success of the two former Princes, who
 bore that Title; but being prevail'd upon by the King and his Half
 Brother, the Bishop Elect of *Winchester*, he at last consented to
 take that high Honour, not, (as he himself at that time declared)
 'out of any Ambition or Covetousness, but purely to Reform the
 ' Kingdom, and bring it into a better State and Condition: With
 which the *German* Ambassadors being very well satisfied, they re-
 turn'd home to give an Account of their Message to those that sent
 them.

[2] In *Mid-lent* there was held a great Parliament at *Westminster*,
 to which by the King's command came the Masters of the Univer-
 sity of *Oxford*, that so there might be a Reconciliation made be-
 tween them and the Bishop of *Lincoln*, who then troubled that
 University, and went about to invade their Privileges, of which
 the said Masters had already complain'd to the King, as he went
 lately on Pilgrimage to *St. Alban's Shrine*: There appeared also at
 this Parliament Earl *Richard*, King Elect of the *Romans*, who then
 came to take his leave of the *Representative Body of England, for al-
 most the whole Nobility of the Realm were there present; yet did not
 they at that time know the Claim the King of *Castile* made to that
 Kingdom, tho' he asserted, That he himself was Prior Elected there-
 unto. There was at this time so great a Multitude in *London*, that
 the City could scarce contain them.

[3] To this Parliament the King brought his Son *Edmund*,
 dressed in an *Apulian* Habit; and having shewed him to them all,
 he said thus, 'See, ye Faithful Subjects, my Son *Edmund*, whom
 the Lord of his Grace has freely called to the Royal Dignity;
 'wherefore it is manifest, how worthy he is of all Men's Favours,
 'and how Inhumane it would be in any one to deny him a power-
 'ful Assistance in this Juncture of Time; and then farther affirm'd
 'That by the Favour and Consent of the Church of *England*, he
 'had obliged himself to the Pope, under pain of losing his King-
 'dom, for the Payment of One hundred and forty thousand Marks
 'Principal Money, besides Interest, which daily increased; And
 'for the Discharge of this, he demanded the Tenths of the whole
 'Beneficed Clergy for Five Years, according to the New Valuation,
 'without any Deduction or Allowance, even for necessary Expens-
 'ces. At the hearing of this high Demand, all Men's Ears began
 to tingle, and they stood amazed, especially when they found that
 this Tyranny had taken its rise from the Pope himself: But at length
 when neither Excuses nor Intreaties would prevail, they granted
 the King an Aid of Fifty thousand Marks towards his urgent Ne-
 cessities; but upon this Condition, that he should for the future in-
 violably observe that Capital Charter, which had been so often pro-
 mised, and so often paid for; but the King, not thinking this Sum
 sufficient for his Design, refused to accept it.

*The B. is with
 some difficulty
 persuaded to
 accept of that
 Honour.*

*Id. p. 946.
 A great Parli-
 ament at W. st.
 minster, where
 the Masters of
 the University
 of Oxford at-
 tend, and for
 what purpose.*

**Universitas.*

*Id. ib.
 The K. pre-
 sents his Son
 Edmund to the
 Parliament,
 and makes a
 Speech to
 them to Assist
 him.*

*And demands
 the Tenths of
 all the Bene-
 ficed Clergy,
 for five Years.*

*The Parlia-
 ment with
 much ado
 grant the K.
 an Aid of
 Fifty thou-
 sand Marks.*

There

Then (according to the Annals of [4] *Burton*) Fifteen days after *Ascension*, the King held another Parliament at *Westminster*, to treat of the Business of *Apulia* or *Sicily*, in which the Archbishop of *Canterbury*, the Pope's new Legate, was present; and then and there the King gave the same Answer from the Clergy and Laity, as he had done before, which here seems to be a flat denial, and is contrary to what *Mat. Paris* has already related; But I think he deserves more credit.

[1] So soon as this Parliament was dissolved, there arrived the Archbishop of *Cologne*, with some other Bishops, besides a certain Duke, not named, who all came over to encourage Earl *Richard* to accept the Kingdom of *Almain*, as an Earnest of the Holy Empire, and that he might be received without any Contrivance; yet they cunningly conceal'd the Election of *Alphonse* King of *Castile*, by some of the Electors; though indeed it is a wonder how a thing so notorious as that was, could be hid from any Body, especially that the Earl of *Glocester* and Mr. *Mansel*, who were returned out of *Germany*, should hear nothing of it; However, Earl *Richard* was so well satisfied with the good Words that were given him, that he presented the Archbishop with a very rich Mitre; which was so acceptably received by him, that he thereupon promised to Crown him King of *Germany*; which our Author says he mentions, to shew Posterity how Strangers then imposed upon the *English* Simplicity.

And it was chiefly for this Prince's great Wealth that these German Princes then Elected him King; He being able, as [1] *Mat. Paris* says, to spend a Hundred Marks a day for Ten years together, without accounting the Revenues he received from *England* and *Germany*.

[2] Not long after *Easter* the new King Elect, having received the Homages of the Archbishop of *Cologne*, and the other Princes that came with him, went towards the Sea-side, and being staid a good while there for a Wind, at last he took Ship with all his Retinue, on the Sunday after *St. Mark's* Day, and on Tuesday following, (being the First of *May*) he Landed at *Alen*, from whence on *Ascension*-Day he came to *Aix-la-Chapelle*, as we now commonly call it) and on the same Day was Crown'd King, and his Countess Queen of the *Romans*, with great splendour and Magnificence, in the Presence of the Archbishops of *Trarar* and *Mentz*, and many Earls, Barons, and Noblemen; and he was placed in the Throne of *Charles the Great*, with the usual solemnity; yet the Archbishop of *Treves*, with several other Princes were not there, having before opposed Earl *Richard's* Election. He returned to Domestick Affairs: This Year, (according to the MS. Chronicle of the City of *London*) the King Coined a Penny of Pure Silver of the Weight of Two *Sterlings*, and commanded that it should go for Twenty Shillings. This I take notice of, as being Vol. II.

Ann. Dom. MCCCLVII

[4]

[5]

Id. p. 947. The A. B. of Cologne and several other Bishops, come over to encourage E. Richard to accept of the Kingdom of Almain.

[1]

[2]

The E. Elect goes for Germany.

He, together with his Queen, is Crown'd at Aix-la-Chapelle, with great Splendour.

The K. coins a Penny of Gold, of the Value of Twenty Shillings.

Deorum Sterlingum.

[U u u u u 2]

Anno Dom. the first Piece of Gold I can find, that had been Coined in Eng-
 MCCLVII land.

[3] The *Welsh* having this Year plundered and burnt the *English* Borders, and killed the Inhabitants, and forced Prince *Edward* and his Army (who had invaded them) to retreat, they remained Victorious in those Parts; nor would Prince *Llewellyn* desist from this Enterprize, though he was entreated by a Letter from the new King *Richard*, to cease making any further hostile Incursions to disturb the Peace of the Kingdom: But about the Two and Twentieth of

July, the King being highly provoked by these Invasions, marched himself into *Wales*, with his whole Military Tenants, whom he had now Summoned by War, to suppress their Incursions; but they having notice of his coming, fled into the farthest Recesses of their Country, to wit, *Swansea*, and other Mountainous and inaccessible Places, carrying with them their Wives and Children, and driving all their Cattel after: yet before their departure they ploughed up their Meadows, destroyed their Mills, brake down their Bridges, and digged Pits in their Fords to make them unpassable; [4] and at length they Confederating with those of *South-Wales*, by the Treachery of *Grisia de Brun*, (a *Welsh* Nobleman, who then served the King) made an Assault upon one Part of the Royal Army, and routed it; then the King with the residue of his Forces marched back towards *Chester*, and burnt all the Corn in the

[4] Borders thereabouts; [5] whereupon the *Welsh* offer'd to submit, so that they might enjoy their ancient Laws and Liberties, and not be subject to Prince *Edward*, nor any but the King himself, but he then refused the Terms; yet towards Winter he was forced to make a shameful Retreat into *England*, having spent much Treasure, and done nothing that was considerable.

[5] Whereupon, the King's force'd to return into *England*.

[1] Nor had the *English* any better success in some private Expeditions against the *Welsh*, that were made after the King's departure. When a Nobleman, called *James de Audley*, (who had Castles and Lands in the Borders of *Wales*, which during his absence in *Germany* the *Welsh* had burnt and destroyed) resolv'd to be revenged of them, and to that end made an Incursion into their Territories, though very Unfortunately, for they falling out of their private Recesses, fell upon the *English*, and routing them, drove them out of their Country: thus they and the *English* mutually wasting each other's Territories, it not only broke off all Commerce between the two Nations, but also reduced all the Borders of *Wales* to a perfect Desert.

[2] As for Ecclesiastical Affairs, about the same time this Year, the Bishop-Elect of *Ely*, and the Abbot of *St. Edmunds-Bury* had their Elections confirm'd at *Rome*, where they had spent, given, and promised vast Sums of Money for obtaining their Rights, by return from *Rome*, having spent a great deal of Money.

which

which our Author (I suppose) means their Confirmations, for there had been lately a new Law made by the Pope, that every **Bishop** (whether Bishop, Abbot, or Prior) should come thither and compound for this Confirmation, which (as our Author shews) proved highly burdensome and inconvenient to the Church.

[3] And as for Foreign Affairs, not long after this, the **Bishop of Worcester**, the **Bishop Elect of Winchester**, the **Abbot of Westminster**, the **Earl of Leicester**, **Hugh Bigot**, the **Earl-Marshal**, **Peter of Savoy**, and **Robert Waleran**, were sent to the **King of France**, to demand the **Restitution of K. Henry's Rights in Normandy**, and the other Parts of **France**, but returned *re infusa*, as you will find by and by, for the **King of France** had already so well fortified and secured all the strong Places there, that he needed not to be afraid of any thing **King Henry**, or his Brother **Richard** could do against him.

[4] This Year also the good Understanding and Affection between **Alphonse King of Castile**, and **King Henry**, began to abate, by reason of his Brother **Earl Richard's** Competition with him for the Kingdom of **Aragon**; yet he now sent Letters to **King Henry**, offering his Assistance against his Brother, according to the Tenour of the late Charter of Peace made between them, that one should assist the other against all his Adversaries whatsoever. But the **King** would by no means hear of it, but said, That his Brother had been lawfully Elected and Crowned, and that he would stand by him against all his Opposers.

[5] To conclude this Year with some remarkable Passages, tho' not immediately relating to Civil History: The scarcity of Corn, and all other Provisions, was so great, as well through the extreme Wetness of the Season as other Causes, that a Horse-load of Corn was sold for Ten Shillings; so that vast Numbers of poor People died of Famine, which the Author of the Chronicle called (though falsely) **Walter of Coventry's Julius*, observes to have been so great, that himself saw them fighting for the Carcasses of dead Dogs and other Carrion, and to eat the Wash that was let for the Swine. But *Math. Paris* further observes, That this Famine did happen not so much from the scarcity of Corn, as from want of Money, since the like Quantity of Corn had been formerly sold for a Mark, or Twenty Shillings; yet none of them had died for Hunger: And the reason why it was otherwise now, proceeded from **Richard King of the Romans** his late carrying over into **Germany** no less than seven hundred thousand Pounds in ready Money, an incredible Sum in those Days, besides what **King Henry** had lately sent to the Pope to prosecute the Design upon **Sicily**; and therefore it was no wonder if **England** was near exhausted of its Money.

*Ann. Dom.
MOCCVIII.*

[1]
M. p. 919.

The K. does
every day lose
somewhat of
Royal Digni-
ty.

[1] This Year the King kept his *Christmas* at *London*, and about that time, notwithstanding all the Interest that he and the Archbishop could make at *Rome* to the contrary, the Bishop of *El*, and Abbot of *St. Edmundsbury*, returned from thence confirmed by the Pope; so that the King, taking ill Advice, every day lost somewhat of his Royal Dignity, and for that reason studied how to damnify the Church.

[2]
M. p. 920.

The K.'s Ambassadors return out of *France*, without obtaining anything, and the reason of it.

[2] As for the Noblemen lately sent by King *Henry* to the King of *France*, to demand *Normandy* and his other Rights in that Kingdom, they were civilly received by himself; but his Brothers, and the other Great Men of *France*, much opposed them, so that they returned on the Sixth of *January*, or *Twelfth-day*, without obtaining any thing for which they were sent.

[3]
M. p. 921.

The Welsh seize some Towns in *England*.

[3] About this time the *Welsh* despairing of Peace, and distrusting the King's Mercy, seized some Towns and Places belonging to Prince *Edward*, and other Noble Men, in the Borders of *Wales*; and having first plundered them, they afterwards burnt them, and killed all the People.

[4]
M. p. 922.

The Pope falls out with the King, and for what cause.

[4] It was also about this time that the Pope began to fall out with the King, because he observed not his often-repeated Promises wherein he had bound himself; under pain of losing his Kingdom, to correct his wonted Excesses; and at the instance of *Laurence* Bishop of *Rochester*, and many others of the Clergy, threatened (after many fruitless Admonitions) to Excommunicate him, and Interdict his Kingdom, and to proceed further, as he should see cause: Whereupon the King being in great Confusion, sent him Five thousand Marks, to pacify and bring him into a better Temper, and to put off the Sentence for a time; with which Money and the King's earnest Petitions, he seemed pretty well satisfied; though it was nonevident, that notwithstanding all that vast Charge the Nation had been at, for acquiring the Kingdoms of *Sicily* and *Naples*, yet hopes of it were now quite vanished.

[5]
M. p. 923.

[1]
M. p. 924.
Mr. *Rufand* returns into *England* much troubled.

[5] In *Mid-Lent* Mr. *Rufand*, the late Nuncio, returned from *Rome*, where he was deprived of his former Authority, [1] having been there some time before accused by some of his Rivals, that he had been too Rapacious, and laying aside all true Fear of God, had gained great Revenues in *England*: But now that he might obtain the King's Favour in retaining of them, he affirmed he was born at *Bordeaux*, and promised, as he was the King's Liege and Natural Subject, effectually to procure the Dominion of the Kingdom of *Sicily*, and transact his other Business at the Court of *Rome* and elsewhere: With which flattering Promises, he so cumvented this case King, that he was endowed with other great Benefices. However, he was removed from the Power and Dignity

And by cunning Insinuations and Lyes obtains great Benefices.

[1]

he had before enjoyed, and was again recalled to *Rome*, and not long after, viz. the Week before *Easter*, Mr. *Herlot*, or *Arlot*, the Pope's Notary and Special Secretary, came with mighty Pomp into *England*, invested with great Authority; and though he was not styled a Legate, yet he wanted not the Power of one.

Anno Dom. MCCLV. D.
Mr. *Herlot* the Pope's Notary, comes as his Nuncio into *England*.

[2] The late Truce between the *English* and *Welsh* now expiring, they again miserable straitened the King's Subjects in those Parts, inasmuch that they could get neither Salt nor Corn, nor other Necessaries; and they had also invaded *Rambrakshire*, and fallen upon many of the Inhabitants there: Wherefore the King being highly incensed at it, [3] on the Fourteenth of *March* issued out his Writs to all that owed him Service, both Clergy and Laity, enjoining them to meet him at *Chester* eight Days before *Midsummer*, to march into *Wales* against *Llewellyn* the Son of *Griffin* and his Accomplices, who had seized on, and wasted divers of his own Lands, as well as those of his Son *Edward*, and other his Liege Subjects, against the Homage and Fealty they had sworn to him.

[2] *Id. p. 963.* The *English* are miserably straitened by the *Welsh*. The K. issues out his Writs of Summons to all Tenants by Knights Service to meet him at *Chester*. [3] *Claus. 42. Hen. 3. M. 11. Dors.*

It seems that [4] the *Welsh* made these IncurSIONS at this time, in confidence that the King would be diverted by the *Scots*; for whereas that King, upon Marriage with King *Henry's* Daughter, had put himself and Kingdom under his Protection and Government, until he should be of lawful Age, some of his Rebels had lately taken him out of the hands of those Councillors and Curators whom King *Henry* had set over him, and detained him against his Will: For repressing of which Insolence and Rebellion, the King issued out [5] Summons, dated on the 17th of *January* before, to all his Military Tenants of the *North*, especially those of *York*, *Cumberland*, and *Northumberland*, to march with Horse and Arms, and all their Forces into *Scotland*, together with such as he should send them. These Writs are still upon the Roll; but yet I do not see any thing done in pursuance thereof.

[4] *M. P. ib. 63.* The *Welsh* made these IncurSIONS, in hopes of being diverted by the *Scots*, and on what account. [5] *Claus. 42. Hen. 3. M. 11. Dors. M. P. ib.*

[1] Then presently after *Hock-Tuesday* (that is, the *Tuesday* after *After-Tuesday*) a Parliament was convened at *London*, wherein the King being pressed with the Affairs of the Kingdom of *Sicily* (concerning which, Mr. *Herlot* was sent to urge him to a positive Answer) now demanded a very great Sum, which the Pope upon his request obliged himself to pay the Merchants: But the Great Men absolutely denied to assist him with Money, for they would not impoverish themselves to pay his Debts, which he had contracted through his own Weakness; and if he had bought the Kingdom of *Sicily* of the Pope for his Son *Edmund*, it was done without the consent of his Nobility, since there were so many insufferable Difficulties lying in the way to the gaining of that Kingdom.

[1] *M. P. ib.* A Parliament held at *London*, where the King's Demands for Money are rejected by the Great Men.

Anno Dom.
MCCLVIII.

[2]

Id. p. 965.

The K. ob-

tains a Bond

from the Ab-

bot of West-

minster for

2500 Marks,

which is ur-

ged as an Ex-

ample for o-

ther Abbots.

But the Abbot

of Waltham

denies the like

Request, and

gives very

shrewd Rea-

sons for it.

An honest An-

swer of an

English Abbot.

[2] When the King had received this Repulse in Parliament, he tried some other ways to get Money; for he applied himself to the Abbot of *Westminster*, who was so wheedled by his falacious Promises, that he put the Seal of the Convent to a Charter, where it became bound for the King in Two thousand five hundred Marks; and so gave a pernicious Example to other Abbots; for immediately thereupon the King sent *Simon Passeleve* to the Abbey of *Waltham*, who shewed them the King's Letters, and said, that the Abbot of *Westminster* desired them to do the like; but the Abbot of *Waltham* would by no means consent to charge his House with any Money, notwithstanding all *Simon's* Entreaties; so he not speeding here, went immediately to the Abbey of *St. Albans* with the same Message; but the Abbot and Convent there plainly told him, That it was against their own Privileges, and also the Pope's Prohibition, thus to oblige their House for the King: Whereunto *Simon* answered, That the King had sent along with him a Frier Minor, who had Power to absolve them from that Oath: But the Abbot would not hear of this, but honestly replied, That it was not safe to undergo Excommunication in hopes of being absolved; as no Man would hearken to one that should persuade him to break his Leg to have it well set again; and besides, in doing this, they should tell a great Lye, and the Convent-Seal would be Witness against them of their Breach of Trust. And when *Simon* urged them farther, That they ought to assist the King, because all they enjoyed came from him and his Progenitors; their Answer was, That it was true, all they had was the King's, but for the Preservation and not Subversion of the Kingdom; and that the King had at his Coronation, as well as many times since, sworn to this: So that notwithstanding all *Simon* could say, he could not prevail with them to put their Common Seal to the Obligation. Yet for all this Repulse, *Simon* went from thence to the Abbey of *Reading*, but neither did he there find any better Entertainment: Upon which he was forced to return without getting any Obligations Sealed by them for the Two thousand five hundred Marks, which the King hoped, by the Assignment of this Security, to have taken up of the *Italian* Merchants. I have inserted this Passage (which *Dr. Brady* has omitted) to let the Reader see the honest Stoutness of the *English* Abbots at that time.

[3]

Id. p. 968.

The Barons

make Com-

plaints against

the K. for not

observing the

Great Char-

ters, and for

other Grie-

vances.

But to return to Civil Matters, from whence we have a little digressed: [3] In this Parliament there arose great Heats and Contentions, which lasted till after the Feast of *Ascension*, between the King and Barons, who made great Complaints against him, That he slighted the Authority of the Church, and did not observe the *Great Charter*; That he had raised to Dignities and Riches his Half-Brothers against all Law, as if they had been the Natural People of the Land, and would not suffer any Writ to issue out of Chancery against them; and that although the Insolence of his other Brothers and the *Poictouvins* were intolerable, yet that of *William de Valence* exceeded them all.

[4] Also Simon Montfort, Earl of Leicester, taking his Advantage of those Differences, highly complain'd to the *Universitas Regni*, i. e. General Body, or Representative of the Realm, concerning his own private Grievances, and told the King, that he only promoted and enriched Strangers, and despised and wasted his own People, to the subversion of the whole Kingdom; by which means he became unable to repel the Injuries of the weak and inconsiderable *Welsh*. And indeed this had been a reasonable Complaint, in one who had not been a Foreigner himself.

[5] To conclude, the King's various sorts of Excesses, and unwillingness to receive any good Advice, required many particular Conferences before they could be ended; but at last He came so far to himself, that being convinced of the justness of their Reproofs, he grew more moderate, and confessed he had often been misled by evil Counsel, but he then Promised and Swore upon the Altar and Shrine of St. Edward, That correcting all his former Miscarriages and Abuses, he would for the future follow the Advice of his own natural Subjects.

[1] But because his former frequent breaches of his Oath and Promises, had now rendred him wholly suspected by his People, and that the Great Men knew not how to bind this *Proteus* of a King, (as this Author calls him;) and also because the Affair was very difficult, the Parliament was therefore Adjourned unto St. Barnaby's Day, and to be holden then at Oxford; but before this Adjournment, upon Ascension-Day (or second of May) the Barons promised, that if he would reform the State of the Kingdom, according to their Advice, and the Pope would make the Conditions about the Affair of Sicily more easie, so as it might be prosecuted with effect, they would do their endeavour, with the *Commonalty of the Kingdom, to procure him a common Aid or Tax for that purpose; and thereupon the King agreed, that before Christmas next the State of the Kingdom should be redressed and settled by them, and the Pope's Legate, if in England; and for the performance of what shou'd be ordain'd, he would put himself under the Pope's Pleasure, so that it should be in his Holiness's Power to compel him to it by Ecclesiastical Censures. He also caused his Son Edward, the Prince, to swear, that he would observe and keep what his Father had granted: This appears by a

[2] Charter recorded on the *Roll, and is recited at large in Dr. Brady's Appendix. Moreover, he granted at the same time to the Barons, another [3] Charter confirm'd by his Oath, that the State of the Kingdom should be rectified and reformed by Twelve faithful Persons of his Council then chosen, and by Twelve others to be chosen by the Barons, who should meet at Oxford a Month after Whitsunday next coming, as they should think most to the Honour of God, and Profit of the Kingdom; and promised inviolably to observe whatever should be ordained by those Four and Twenty, or the major part of them, under such Security as they should direct; and he likewise caused his Son Edward to swear, that he would inviolably observe the same things; whereupon the Earls and Barons promised to endeavour, that the Community or general Body of the Kingdom should grant him an Aid.

Anno Domini
MCCLVIII.

[4]
Id. ib.
S. Montfort
complains to
the General
Representa-
tive of the
Kingdom,
concerning
his own
Grievances.

[5]
Id. ib.
The King be-
ing sensible of
his former
Miscarriages,
swears to cor-
rect them for
the future.

[1]
Id. ib.
The great
Men resolving
not to believe
him any more,
the Parliamt.
is adjourn'd
to Oxford.

The Barons
make new
Proposals to
the King.

* *Communitate
Regni.*

The King's
Concessions to
the Barons.

[2]
* *Rot. Pat.* 42.
H. 3. M. 10.
*Dr. B.'s Ap-
pend.* N. 188.

[3]
Id. N. 189.
By which the
Government
was put into
the hands of
24 Persons.

Anno Dom.
MCCLVIII.

[4]
Rot. Pat. 42.
H. 3. M. 4.
Vid. Dr. B's
Appendix,
N. 190.
They to Elect
a who shou'd
have power
to choose the
K.'s Council.

[5]
M.P. p. 970.
The great
Men come
with their
Military Te-
nants all
arm'd, to the
Parliament at
Oxford.

[1]
Id. p. 971.
Anal. de B.
p. 412.
The Parlia-
ment first be-
gins with the
Election of
the 24.
The Names
of the 12
chosen by the
King.

[2]
Id. ib.
The Names
of the 12
chosen by
the Barons.

[3]
Id. 414.
The first
thing the 24
demand, is a
Confirmation
of the great
Charter.
With several
other Altera-
tions of no less
Moment.

It farther appears by a Third [4] Charter in *French*, that the King, at the request of his Great and Wise Men of the Community of the Kingdom, granted that these Four and Twenty, who were thus to be chosen, shou'd have full Power to choose Four more, and these to choose the King's Council, who were to redress and amend all Matters appertaining to him and his Kingdom; and this Council, or the major part of them, were to choose one or more in the place of such as shou'd make default. [5] *Barnaby*-day approaching, the Great Men and Nobles of the Land hasten'd to the Parliament, then to be holden at *Oxford*, and commanded all such as owed them Military Service to accompany them; so that they made Preparations, as if they were to defend their Borders from the Attempts of their Enemies the *Welsh*; tho' that was but a pretence to palliate their coming thus Armed; yet really it was from their fears of a Civil War, lest the King and his Brothers, together with the *Poictouins*, should bring in Foreign Troops against them: and therefore they caused all the Ports to be strictly guarded.

[1] The Parliament being thus Assembled at *Oxford*, they first fell upon the Election of the Four and Twenty, according to the King's Grant, who were to amend and reform what they should think amiss in the Kingdom. Those chosen by the King, were the Bishop of *London*, the Bishop Elect of *Winchester*, *Henry* Son to the King of *Almain*; *John*, Earl of *Warren*; *Guido de Lusignan*, and *William de Valence*, the King's Half-Brothers; *John*, Earl of *Warwick*; *John Mansel*, Frier; *J. de Derlington*, the Abbot of *Westminster*; *Henry de Wengham*, Dean of *St. Martins* in *London*; the Twelfth is omitted, but it may be worth enquiring, whither the Lord *Peter* of *Savoy*, or *James Audley*, were not the Person.

[2] The Twelve chosen by the Earls and Barons were, the Bishop of *Worcester*; *Simon*, Earl of *Leicester*; *Richard*, Earl of *Gloucester*; *Humphry*, Earl of *Heresford*; *Roger*, Earl of *Norfolk*, and Earl *Mareschal*; the Lords, *Roger Mortimer*, *John Fitz-Geoffrey*, *Hugh Bigod*, Brother to the *Mareschal*, *Richard de Gray*, *William Bardolf*, *Peter de Montfort*, and *Hugh de Espenser*. These Twenty Four chose Four of their own number, viz. the Earl of *Warwick*; *John Mansel*; Earl *Roger*, the *Mareschal*; and *Hugh Bigod*, his Brother; and these were to name the King's Council, who were in number Sixteen, being these that follow; the Archbishop of *Canterbury*, the Bishop of *Worcester*, the Earl of *Leicester*, the Earl of *Gloucester*, the Earl *Mareschal*, *Peter* of *Savoy*, the Earl of *Richmond*, the Earl of *Albemarle*, the Earl of *Warwick*, the Earl of *Heresford*, *John Mansel*, *John Fitz Geoffrey*, *Peter Montfort*, *Richard de Gray*, *Roger Mortimer*, *James de Aldithlege*, or *Audley*.

[3] These Twenty Four Great Men, in the first place, required the King's Confirmation of the Charter, which had been granted by King *John* his Father, and so often confirmed by the King himself, and which he had also sworn to observe, and had caused all Transgressors thereof to be solemnly *Excommunicated* in his own Presence, as well as in that of the whole *Baronage*.

Secondly, They required such a Justiciary as would do Justice to those that had suffer'd Wrong, as well to the Poor as Rich.

Thirdly,

Thirdly, That they should choose the Justices, Chancellors, Treasurers, and other Officers and Ministers from Year to Year.

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Fourthly, That they themselves, or their Adherents, should have the Custody of the King's Castles.

Fifthly, By an Edict or Statute to be assented to by the King, they made it Capital for any Person, of what Degree or Order soever, to refuse their consent to these things; and against such the Archbishops and Bishops also pronounced *Excommunication*.

They also required some other things of publick Concern, which tended to the good of the King, as well as benefit of the Kingdom; tho' it must be confessed, that most of these Demands were unreasonable, and inconsistent with Kingly Government.

[4] The Twenty Four also ordained, that there should be Three Parliaments held every Year; as likewise when and how they should be holden; which Order I find drawn up in this Form in the Annals of *Burton*, and is here faithfully transcribed out of the *French Original*.

[4]

Id. ib.

Three Parliaments are appointed to be holden in every Year.

[5] Be it remembred, That the Twenty Four have ordain'd, there may or shall be Three Parliaments in the Year, the first on the Octaves, or eight Days after *St. Michael*; the second on the Morrow after *Candlemass-Day*; and the third on the first of *June*, that is (to wit) Three Weeks before the Feast of *St. John*; to these Three Parliaments shall come all the chosen Counsellors of the King, tho' they be not sent to, (i. e. tho' not summoned by particular Writs) to provide for the State of the Realm, and to treat of the common business thereof, when need shall be, by the Command of the King, or by his Summons.

[5]

Id. p. 415.
The Form of this Ordinance.

[1] Then the Commons or Community also chose Twelve Persons to represent them in these Parliaments to save the Charges of the Community; the Act for this Election was drawn up in this Form, the Original of which is in *French*.

[1]

Id. ib.

The Commons chose Twelve Persons to represent them, to save Charges.

[2] Be it remembred, that the Commons or Community have chosen Twelve Wise Men, who shall come to Parliaments, as also at other times, when there shall be need, and the King or his Council shall command or send to them to treat of the business of the King and Realm; and the Commons or Community will hold for established what these Twelve shall do; and this shall be done to spare the Cost or Charges of the Commons or Community.

[2]

Id. ib.

The Form of this Ordinance.

The Names of the which Twelve are entred in the said Annals in this Form.

These are the Twelve who are chosen by the Barons to treat in the Three Parliaments every Year with the King's Council, for all the Commons, or whole Community of the Land, upon the common business, viz. the Bishop of *London*, the Earl of *Winchester*, the Earl of *Hereford*, *Philip Basset*, *John de Baliol*, *John de Verdun*, *John de Gray*, *Roger de Sumerie*, *Roger de Montalt*, *Hugh de Espenser*, *Thomas de Gresley*, and *Aegidius de Argentun*.

The Names of the Twelve who were to appear and act for the whole Community of the Land.

It must also be owned, that these were all Barons, and great Tenants in Capite, not one Commoner (as now reputed) amongst them; yet that these were chosen by the Commons, properly so called, shall be proved in another place.

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MDCCLIII.

What other
Statutes and
Ordinances
were made
in this Parlia-
ment.

Many other Statutes and Ordinances were made in this Parliament concerning *Feudal* Tenures, about Custody of Wards, Mariages, and Escheats; as also about Suits to the King's Courts, before his Justices; and likewise Suits to Itinerant County-Courts, Hundred-Courts, Sheriffs-Turns, Writs of Right, waste of Estates in Wardship, taking of Distresses, &c. most of which were made in abatement of the Rigour of the *Feudal* Law, and for the ease and benefit of the People, which are to be found in the Annals last cited, and are also on [3] Record in the *Tower*.

[3]
Vid. Rot. Claus.
44. H. 3. M. 17.
Dors. 47. H.
3 M. 17. in sec-
dula Dors.

[4]
M. P. p. 971.
This Body of
Laws were
call'd the Pro-
visions of Ox-
ford, which
the King, the
Prince, and all
the Nobility
swore to ob-
serve.

[4] These Laws were then called the Provisions of *Oxford*, which the whole Baronage of *England* were bound by Oath to observe, and that they would never desist from prosecuting these their just Resolves, either for loss of their Lives or Estates; so that they often beseeched the King to agree to observe them; which seeing he was no longer able to avoid, He, together with the Prince, his eldest Son, took the same Oath.

Thus through the easiness of a weak and inconstant Prince, and the over great Power of an Insolent and too much provoked Nobility, the Head of the State became a Cypher, and this whole Government was put into the hands of a few Men, who notwithstanding all their fair Pretences minded their own Interest and Grandeur more than the common good of the Nation, as you will find hereafter.

Other Char-
ters of the
King, where-
by he autho-
rizes the 24
Noblemen a-
bove menti-
on'd, to pro-
ceed in the
Reformation
of the King-
dom.

Also before the Dissolution of this Parliament, the King granted his Charters to the Earl of *Gloucester*, and unto those Twenty Four Bishops, Earls, Barons, and others, who had either by himself, or the Baronage, been chosen Governours or Reformers of the Kingdom; wherein after a recital of his said Promise and Oath, to hold for firm and stable, whatsoever they should Ordain for the Reformation of the Kingdom; he thereby also Commands them to proceed to the said Reformation, under pain of his Displeasure, as also of his Heirs, if they omitted it: And he farther Promises for himself and his Heirs, that if they proceed in the said Reformation, neither he, nor his Heirs will be * moved or displeased with them, or theirs, any time hereafter for so doing, but will always preserve them undemany'd on that account. [5] This Charter bears date at *Oxford* the twenty second of *June*, and is upon Record. And is also Printed in Dr. * *B's* Appendix tho' he has omitted to give us the Contents of it in his History; as also of another Charter of the like nature, which is found upon the same Roll, and is likewise Printed in the said *Appendix**, whereby the King commands *John Mansel*, and *Roger Bigod* Earl of *Norfolk*; *Hugh Bigod*, Justiciary; and *John Plessy*, Earl of *Warwick*, (who were elected by the Twenty Four Great Men, to nominate those who were to be of the King's Council) to proceed to the said nomination, by the Faith whereby they were bound to him, and as they would avoid the displeasure of himself and his Heirs, if they omitted to do it, with an Indemnity to them and theirs, if they performed it. This bears date at the same Time and Place with the former, and shews how cautious these Lords and Great Men then were, not to act any thing in these Affairs without the King's expresse Commission, as well as the authority of the Parliament it self.

[5]
Rot. Par. 42.
H. 3. M. 8.
* N. 192.
Another
Charter to the
Four, who
were to chuse
the King's
Council.
* N. 192.

When

When all this was done, Commissions for the Governours of the King's Castles, were issued out, during the Eleven Days time that this Parliament sate, as appears by the [1] Records cited at large in Dr. Brady's Appendix, where you may see the Form of those Commissions that also bear date *June* the twenty second. There is also the Form of the Oath that the Governours were to take, to this effect, *viz.* faithfully to keep the said Castles for the King and his Heirs, and not to deliver them up to any, without the consent of the King's Council, that is, by the Wise Men chosen thereunto, or by the major part of them; which is worth your noting.

Anno Dom.
MCCLVIII.

[1]
Rot. Par. 42.
H. 3. M. 6.
Append. N. 191.
Commissions
issued out to
all Governours
of Castles,
who take a
new Oath.

[2] There were also appointed at this Meeting, by the said Community, Twenty Four Persons to treat and consult of an Aid for the King, whose Names (as they stand in the same Annals) are these, *viz.* the Bishop of Worcester, the Bishop of London, the Bishop of Salisbury, the Earl of Leicester, the Earl of Gloucester, the Earl Marshal, Peter of Savoy, the Earl of Hereford, the Earl of Albemarle, the Earl of Winchester, the Earl of Oxford, John Fitz-Geoffrey, John de Gray, John de Baliol, Roger Mortimer, Roger de Montalt, Roger de Sumerie, Peter Montfort, Thomas de Gresley, Fulco de Kerdiston, Giles de Argenton, John Kyriel, Philip Rasser, and Giles de Erdington, all Earls and Barons, or Knights, and Tenants in Capite.

[2]
Annals de Burt.
P. 414.
Twenty Four
Persons are
appointed to
consult about
an Aid for
the King.

But whither these Noblemen ever came to any Resolutions about giving the King this Aid, we do not find; perhaps they were diverted by [3] his Half-Brothers, *viz.* Adomar or Athelmar, Bishop Elect of Winchester, Guy de Lusignan, Geoffrey de Lusignan, and William de Valence, their refusing at that time to swear to observe or give their consents to the Acts called the Provisions of Oxford; whereupon the Barons fell into great Heats and Differences, not only against those Strangers, but among themselves; for altho' Prince Edward had sworn to the late Provisions, yet he did all he could to go from them; but John, Earl of Warren, had directly refused to consent to them, and Henry, Eldest Son to the King of the Romans, seemed unresolved, saying, *He could by no means take this Oath without his Father's consent*; to whom it was presently answered, *That if his Father would not agree with the Baronage, he should not enjoy one Foot of Land in England.*

But being diverted by the King's Half-Brothers, who refused to swear to the Provisions at Oxford, we do not find any thing farther done in that Affair.

[3]
M. P. p. 970,
971.
Prince Edward endeavours all he can to go from the said Provisions, and some other great Lords refuse also to consent to them.

[4] And further, the King's Half-Brothers utterly refused to deliver up the Castles and Wardships which the King had bestowed upon them: This produced very hard Words between them and the Earl of Leicester, insomuch that he plainly told William de Valence, (who took upon him more than the rest) that he should either part with the Castles he detained from the King, or with his Head; which was also made good by all the Earls and Barons there present; this struck such a Terror into these Noblemen, that they, with the Poistovins, fearing the whole Body of the People would rise against them, and then no Castles they had would be strong enough to defend them, resolved to steal away privately, whilst the rest of the Lords were at Dinner, which they did, taking Refuge at first with their Brother, the Bishop Elect at Winchester; but being persued thither by the Barons, with Horse and Arms, and (who had now chosen Hugh Bigod Justiciary) they quickly found that place too hot for them; so going from thence to London, under the safe Conduct of the

[4]
Id. ib.
The King's Half-Brothers refuse to deliver up their Castles and Wardships, which produces hard words between them and the Earl of Leicester. They steal away privately and go to Winchester, whither they are persued by the Barons.

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the Barons, they staid some time at the Bishop of Winchester's House in Southwark to refresh themselves, and there inviting several of the Great Men to an Entertainment, divers of them were thought to be there poisoned by the Poistovins their Servants, as appear'd pretty plainly by the strange and sudden Deaths of those Noblemen not long after.

Rot. Pat. 47.

Hen. 3. M. 5.

Vid. Dr. B's

Appen. N. 194.

where it is
printed at
large.

They obtain

the King's safe

Conduct, and

are guarded

to the Sea-

side by several

Noblemen.

[5] But the King's Brothers having obtain'd his safe Conduct, which bore date the Fifth of July, whereby Humfrey de Bobun, Earl of Hereford and Essex; John, Earl of Warren; William de Fordz, Earl of Albemarle, and other Nobles were assigned to guard and conduct them to the Sea-side; from thence they passed over to Bologne, where they were fain to stay some time, expecting the King of France's Safe-Conduct to carry them thither, but that was for a while refused; he being then exasperated against them, by his Queen, because they had defam'd her Sister the Queen of England; but in the mean time the Barons blocked them up there both by Sea and Land, to hinder their return into England.

Annal. Burr.

P. 413.

But we will now look back on what the Barons and Community of the Kingdom had farther done at Oxford, before they rose; where they enter'd [1] into an Oath of Confederacy or Association, to observe the Provisions there lately made; the Form of which was as follows.

The Form of

the Confede-

rac-y or Associ-

ation entered

into by the

Barons.

' We (such and such there named) do make known to all People, that we have sworn upon the Holy Gospels, and so being obliged together by that Oath, we promise in good Faith, that each of us, and all together, will aid and assist one another, and that we will do Right to our selves and others against all Men, without taking any thing for the same, which we cannot do without misdoing; saving the Faith we owe to the King and the Crown: and we farther Promise, upon the same Oath, that we will not take any thing from each other, either in Land or Moveables (i. e. Goods) whereby this Oath may be disturbed, or any ways impaired; and if any shall do contrary hereunto, we will hold him for our mortal Enemy.

They also appointed a new Oath for the Twenty Four Chief Governours; which was to this effect:

The Form of

the Oath to be

taken by the

Twenty Four

Chief Gover-

nours.

' Every one of them was to swear upon the Holy Gospels, that to the Honour of God, and for keeping Faith to the King, and for the Profit of the Realm, he would ordain and treat with those that had sworn before, about the Reformation and Amendment of the State of the Kingdom; and that he would not desist from that Work, for any Gift, Promise, Love, or Hatred, nor for the Power of any Man; nor for Gain, or Loss; but that he would Loyally (that is legally and faithfully) do according to the Tenor of the King's Letter or Charter, which he had lately Granted and Made.

Id. ib.

There is also to be found the Oath, which was at that time administered to the Chief Justice of England, in this Form.

The

The High or Chief-Justice of *England* shall swear,
 That he shall well and faithfully to his Power do whatever apper-
 taineth to his Office of Justiciary, and do right to all Men, to the
 Advantage and Benefit of the King and Kingdom, according to
 the Provisions lately made, and others to be made by the Twenty
 four, and by the Council of the King and Great Men of the Land,
 who had sworn to aid and maintain him in these things.

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The Form of
 the Oath to be
 taken by the
 Chief Justiciary
 of England.

Then follows the Oath of the Chancellour of *England* to this ef-
 fect, That he shall seal no Writs without the Command of the King
 and his Council, some of whom shall be then present; nor seal the
 Grant of any Great Ward, or Great ——— nor of Escheats,
 without the Assent of the Council of the major part of them; nor
 shall seal any thing contrary to the Ordinances, &c. made or to be
 made by the Twenty four, or the greater part of them; nor shall take
 any Reward, but such as had been given formerly to other Chancel-
 lours: And that if he shall take to him an Assistant or Deputy, it
 shall be according to a Form to be provided by the said Council.

The Oath of
 the Chancel-
 lour.

Perhaps the
 Word here
 wanting may
 be Marriage.

When these Twenty four Governours had by these their Ordinances
 procured their Friends and Confidants to be made Constables of all
 the King's Castles and Places of Streight in the Nation, and had al-
 so provided themselves of a Justiciary and Chancellour for their pur-
 pose, and bound them by Oath to act according to their Dictates, they
 then (if any credit may be given to [3] *Matt. Westminster*) held continu-
 al Parliaments without the King's Consent, took to themselves the
 King's Escheats and Wards, and gave to their Sons and Relations all
 Churches in the Patronage of the King.

The Barons
 Practices to
 advance them-
 selves and
 their Relati-
 ons.

[3]
 Sub Anno
 1265.

But to return to the History; though it is certain from [4] *Matt.*
Paris, That upon the sudden Flight of the King's Half-Brothers to *Win-*
chester and the Barons persuing them thither, That the Parliament
 at *Oxford* then broke up in Confusion; yet it appears from the
 MS. † *Annals of Winchester* in the *Cottonian Library*, as also from
 another nameless || *Chronicle* in the same Place; that this Parliament
 met again presently after at *Winchester*, and there made an Ordi-
 nance for the Banishment of the King's Half-Brothers above-men-
 tioned; but *Adomar*, Bishop Elect of that City, though by reason
 of his Character, he was excus'd from that Sentence, yet volun-
 tarily underwent the same Fortune, and passed over beyond Sea
 along with them; and then the King and his Son Prince *Edward*
 were thoroughly reconciled in the Chapter-House of that Cathed-
 ral, after which, about the Fifteenth of *July* the Parliament
 broke up.

[4]
 M. P. P. 971.

† In Bib. Cott.
 Domit. A. 13.

|| *Claud. E. 3.*

And I suppose it was from hence that (as [5] *Matt. Paris* relates)
 certain Commissioners were sent on the Behalf of the general Body
 of *England* to the City of *London*; and the MS. *Annals* of that
 City, tell us, they were the Earl-Mareschal *Simon Mountfort*; and
John Fitz-Geoffrey, and some others, who, producing the Charter lately
 sealed by the King and his Son Prince *Edward*, in confirmation
 of the late *Oxford-Provisions*, in a great Assembly or Common-
 Council of the Citizens at *Guild-hall*, then asked of them, whither
 they would adhere to, and faithfully observe the same Statutes; and
 bravely

[5]
 P. 974.

Anna Dom.
MCCCLVIII.

bravely resist all such as would oppose them, and to that end afford the Barons an effectual Assistance when ever there was Occasion? To all which the Citizens then freely assented; and in token thereof oblig'd themselves by a Charter under the Common-Seal of the City: It is not therefore to be thought criminal in them, if they afterwards proved very zealous for these Provisions, since the King and Prince had then agreed to them; and that they were design'd highly beneficial for the whole Kingdom, tho' upon Tryal they did not prove so.

M. P. p. 998.
V. Ad p. 215.

The Community of Earls and Bishops wrote Letters to the Pope to excuse their late Reformation of the Kingdom without his Consent.

About the same time the Community of Earls, Barons, Great Men and others of the Kingdom of *England*, wrote Letters to the Pope to excuse themselves as to what they had done, which were to this Effect, 'That altho' his Holiness had lately sent Mr. *Herlot* (or *Arlet*) his Sub-Deacon and Notary, who had admonish'd and induc'd them to assist the King in the Prosecution of the Affair of *Sicily*, which he had undertaken without their Advice and Consent, nay, and against their Wills: Yet out of Reverence to him and the Holy See, they thought fit to return this Answer; 'That if by their Advice the King would reform the Kingdom, and his Holiness would mitigate the Conditions contain'd in his Bull of the Grant of *Sicily*, since they were beyond the King's Power to perform; That then according to the Terms of the said Reformation and Mitigation, they would effectually assist the King: But seeing that He had consented to chuse twelve, and the Barons to chuse twelve others, by whom the Reformation of the Nation was to be made; and that he had named *Adomar*, the Bishop Elect of *Winchester*, and his Brothers, in the Number of these Twelve; and that they (but more especially the said Elect) had solicited the King to break his Oath, and go from the Promises he had already made; and that he had animated Prince *Edward*, and some others of the Nobility against them, to the Destruction of the Kingdom, and the Hindrance of the intended Reformation, and this by false Cavils and cunning Insinuations; so that of this Bishop Elect it might be said, *That this is the man who had troubled the Land, and shaken the Kingdoms.*

Adomar Bishop Elect of *Winchester* accused for tempting the King to break his Oath.

They farther complain of the Exorbitancies of the rest of the King's Half-Brethren and their Officers.

And therefore declare their Intentions to hinder the said Bishop Elect from returning hither again.

'They therefore signified unto the Pope, that the Offences of these Brethren were grown so great, as that the Cry of the Poor ascended to Heaven against them; that their Ministers and Officers were rather to be called Thieves and Ruffians who prey'd upon the Poor, ensnar'd the Simple, encourag'd the Wicked, oppress'd the Innocent, triumph'd in the worst Actions, and rejoic'd when they had done ill, than any thing less: Therefore the Community aforesaid considering that a Common-weal was a certain Body which grew up by Divine Beneficence, and that it was not expedient, there should be any clashing amongst the Members of the same Body, they had caused the King to summon the said Elect, and his Brothers as Disturbers of the publick Peace, to answer their Accusers according to the Laws and Customs of the Kingdom; yet so, that if they desired it, they might have leave to depart, who, rather than they would stand to, or undergo the Rigour of Justice, went out of the Nation; and therefore now they declared their Intentions to hinder the said Elect from returning again; who (they urg'd) was the chief Cause of all this Disturbance

‘bance, and would certainly undo, if ever he return’d, what they had taken so much Pains happily to effect, since he and his Brothers had already so far infatuated the King and his Son Prince *Edward*; that not only their Insolencies remain’d unpunish’d, but (which was worse, and was indeed terrible to hear) if any Man being wrong’d by them, complain’d against them, the King, instead of punishing the Offenders (as he ought to have done) rather took their parts, and defended them against the Complainants; and instead of an equal Judge, shew’d himself an Adversary; so that they concluded with heaping more Crimes upon the *Elect*; as that he had terribly violated the Liberties of the Church, imprison’d and wounded Clerks, to the Prejudice of the Crown, which had the sole Power of imprisoning; and therefore they beseech his Holiness by the Fulness of his Power, wholly to remove him from the Administration of the Church of *Winchester* (he having receiv’d it by the munificence of the Apostolick See) lest worse things might happen; and they his most devoted Supplicants should be forc’d to do it by other means; and further let him know for certain, *That tho’ the King and the greater men of the Kingdom should consent to his Return, yet the Community thereof would in no wise permit his Entrance into it*; therefore pray’d, that he might be remov’d without any Scandal, seeing he was not a Consecrated Bishop.

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The many Offences of him and his Brethren.

To these Letters Eleven great Persons put their Seals, and witnessed them on behalf, and instead of the whole Community.

Of these Eleven, Eight were of the Number of the Twenty four, viz.

<i>Richard Clare</i> , Earl of <i>Gloucester</i> and <i>Hereford</i> .	<i>John de Plassey</i> , Earl of <i>Warwick</i> .
<i>Simon Montfort</i> , Earl of <i>Leicester</i> .	<i>Hugh Bigod</i> , Justiciary of <i>England</i> .
<i>Roger Bigod</i> , Marechal of <i>England</i> .	<i>John Fitz-Geoffrey</i> , and
<i>Humphrey Bohun</i> , Earl of <i>Hereford</i> and <i>Essex</i> .	<i>Peter Montfort</i> .

The other Three were of the Fifteen of the King’s Council chosen by four of the said Twenty four, viz.

William de Forz, Earl of *Albemarle*; *Peter of Savoy*, Earl of *Richmond*, and *James Aldithley* or *Audley*.

And further, in Pursuance of this Complaint, [2] the said Great Men of *England* fearing lest the *Elect* of *Winchester* should make haste to *Rome*, and by the Promise of a great Sum of Money to the Pope and Cardinals; obtain his Consecration, that so he might more effectually prejudice them, they sent four skilful and eloquent Knights, Men of Worth and Credit, to present the above-mention’d Epistle to the Pope and *Roman* Court; and, when they had fully declared the Cause of their Errand, they added greater Wickednesses which the *Elect* and his Brothers had committed in *England*, that is to say, *Homicide* or Murther, Rapines, Oppressions and other Injuries to the Subjects; and that the King would not restrain their Violence; Nor there, and set forth the other Offences of this Bishop and his Brethren.

[2] Id. Ad. p. 17.

The Great Men of England send Embassadors to Rome to hinder the Bishop of Winchester from obtaining Consecration.

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did they forget to tell the Pope of a great Injury they had done to Mr. *Exstace* of *Len*, the Archbishop of *Canterbury*'s Official; for which all that abetted it were *Excommunicated* through all the Province of *Canterbury*, and at *Oxford* before the University: And they further told the Pope, that one of the Brothers, *viz.* *Geoffrey* of *Leuzignan* roasted the King's Cook, and tortur'd him to Death with exquisite Torments.

[3]
Id. p. 976.
The Pope's
Nuncio seeing
these publick
Disturbances,
privately
withdraws.

[3] About this time, *viz.* the Feast of the Assumption of the Virgin (that is, *August* the Fifteenth) Master *Herbert* the Pope's Clerk and special Councellour, when he saw the Disturbances of the Nation, privately and prudently withdrew himself till the Storm should be blown over.

[4]
Id. p. 977.

[4] It had been further ordain'd in the late Parliament held at *Oxford*, that all Excesses, Transgressions and Injuries done or committed, as well by Justices, Sheriffs, Bayliffs, and other Persons in the Kingdom, should be inquired into by four Knights in every County by Juries, to be summoned by the Sheriffs to come before them; and the Inquisitions so made were to be sealed with their own Seals, and the Seals of the Jurors to be deliver'd in their own proper Persons at *Westminster* to the King's Council Eight Days after *Michaelmas*, and [5] Writs were issued out to four Knights in every County to that purpose, dated the fourth of *August*, who made their Inquisitions and Returns accordingly; but what was done upon the Return of these Writs and Inquisitions, I find not.

[5]
Rot. 42. H. 3.
M. 3. vid. Dr.
B's Ap. N. 196.
See also the
like Writ in
Addit.

Only by another [1] Record it appears, that by the King's Writs the four Knights above-mention'd had their Expences allow'd them by the respective Counties for coming to *Westminster*, returning home, and Attendance upon the King's Council in Parliament.

[1]
Ibid. Cl. 42.
H. 3. M. 3.
Vid. Dr. B's
App. N. 197.
The Contents
of another
Charter.
A memorable
Record o-
mitted by Dr.
Brady.

But I cannot here omit another memorable old *English* Record in *Saxon* Characters of this Year, [2] which Dr. *Brady* hath either carelessly or else wilfully passed by, as perhaps not liking the Contents of it, being the King's Charter or Declaration to the Clergy and Laity of *Huntingtonshire*, in which he confirms all that his Counsellors, or the major part of them (that were chosen by himself and by the * *People of the Land*) had done, or should do for the Honour of God, and for the Amendment of the Kingdom; and that it shall be inviolably observ'd and perform'd in every particular; and further commands all his Liege-People by the Fealty they owe to him, that they steadfastly hold, and swear to maintain the Ordinances which were made or should be made by the said Counsellors, or the major part of them, as is already mention'd; and that all Men assist each other to perform the same according to their late Oath against all Men that should oppose or hinder the same: And that no Person whatsoever should be damnified in any wise on this account; and if any Persons should oppose themselves against the Premises; he wills and commands that all his Liege-People should hold them for deadly Enemies; and because he will have these Presents the more firm and lasting, he sends them this Writ patent, or open, sealed with his Seal to be || safely kept in † store: Witness the King at *London* the Eighteenth of *October* in the Forty second Year of his Coronation. And it also attested by his sworn Counsellours, *Boniface* Archbishop of *Canterbury*, *Walter* of *Cantelow* Bishop of *Worcester*, *Simon Montfort* Earl of *Leicester*, *Richard Clare* Earl of *Gloucester* and *Hartford*, *Roger Bigot* Earl of *Norwich*

[2]
Rot. Pat. 42.
H. 3. M. 3.
M. 15.
Vid. Somner's
Saxon Dictio-
nary, Verb.
Unnan.
* *Loandes*.
Folk, i. e. a
Gentis Plebe
in Somner's
Dictionary,
and in an
English Tran-
slation of this
Author's own
Hand in ren-
dered Common.
|| *English*.
† In *Hard*.

Norwich, and Mareschal of *England*; *Peter of Savoy*; *William of Forz*, *Anno Dom. MCCLVIII.*
Earl of Albemarle; *John of Plesseiz*, *Earl of Warwick*; and many
 other Earls and Barons, whose Names are too tedious here to be
 recited.

There is also a Clause at the end of this Record, whereby it ap-
 pears, that the same was sent into every Shire of *England*, and also
 into *Ireland*; which is a plain proof, that that part of it which was
 then under the *English* Government, was obliged by the Laws made
 by the King and his Parliament of *England*, without the Consent of
 the Parliament there.

The Irish, ob-
 liged by the
 Laws of Parli-
 ament made
 in *England*.

This Writ or Charter, as appears by the Date, was made by the
 King and his new Counsellors, to confirm and reinforce the late Pro-
 visions made at *Oxford*; and since it is therein express'd, that these
 Counsellors were chosen by the *Folk* or *People* of the Land, it seems,
 that the *Commons* (as we now call them) had also a hand in the ma-
 king of them.

I do not find any thing else considerable to have happen'd this
 Year, yet I will give you here some things of less Moment, since
 they may prove either Instructive, or at least diverting to the Reader.

[3] About this time the Earl of *Gloucester* was taken strangely ill,
 so that many supposed him poyson'd by some of the *Poistovins*, for
 he broke out all over in Boils, insomuch that he lost both his Hair
 and Nails: However, by the Care of a skilful Physician he escaped
 with his Life; but this much is certain, that many Noblemen died
 suddenly about that time, as I have said before, who were also
 thought to have been poyson'd.

[3] *Id. p. 974.*
M. W.
The Earl of
Gloucester be-
 ing supposed
 to be poy-
 son'd, hardly
 recovers.

[4] But about the same time his Brother *William*, a young Noble-
 man, of great hopes, died, under great suspicions of Poyson; the
 Symptoms being much the same as those of the Earl his Brother,
 which highly exasperated the Nobility against those Strangers, whom
 they supposed to have done it.

[4] *M. W.*

[5] About this time likewise there fell out an accident, which much
 disturbed the Earl of *Leicester* and the Barons, since it shew'd them
 the King's private Resentment. It seems one Day, as the King was
 going by Water from *Westminster*, He was surpris'd by a great and
 sudden Storm of Thunder and Lightning, of which He being na-
 turally very fearful, commanded the Barge-men to set him on Shore
 at the next Stairs, which happen'd to be *Durham-House*, where the
 Earl of *Leicester* then lay; he hearing the King was there, presently
 ran down to receive him, and finding him somewhat frightned with
 the Thunder, said unto him, *Your Majesty need not be afraid, the*
Storm is over. No, Montfort, (said the King, with a severe look,) *by*
God's Head, I fear not the Thunder, so much as I do thee: At
 which words the Earl being out of Countenance, said, *Sir, I am*
sorry you should fear your true Friend and humble Servant, more than
the Enemies and Destroyers of your Kingdom. It was thought the
 King said this, because He looked upon the Earl of *Leicester* as the
 Head of the Party against the *Poistovins*, and the chief Promoter of
 their Banishment. And this may serve as a Caution to Great Men,
 not to become terrible to the Princes they serve, since whomsoever
 they Fear. they also Hate, and will be reveng'd of them at one time
 or other.

[5] *M. P.*
p. 974.
The King's
great fear of
the Earl of
Leicester,
shewn by an
odd accident.

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[1] Id. p. 978.
Dr. P's Chron.
The Welsh
murder'd by
the English at
a Treaty of
Peace.

[2] M. W. in
his Anno.

[3] M. P.
p. 979.
Manfred, Son
to the Empe-
ror Frederick,
chosen King
of Sicily, a-
gainst the
Pope's Will.

[4] Id. p. 969.
The Decease
of Sewal,
Archbishop of
York, who
died Excommu-
nicated by
the Pope.

[5] Id. p. 973.

[1] Id. p. 976,
981.

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[2] Id. p. 981.
The Nobility
keep their
Christm. with
the King, and
consult what
Answ. to give
the K. of the
Rom. about his
return to Eng.

[1] Nothing happen'd remarkable this Year in relation to *Wales*; but that the *Welsh* and *English* meeting upon a Parly, or Treaty of Peace, which was then held at *Emlyn*, between a Baron then called *Patrick de Canton*, for the King; and *David*, Brother to the Prince of *Wales*, with some others of his Council; *Patrick* finding the *English* to be superiour in number to the *Welsh*, took the advantage, and slew a great many of them; but *David*, and some other of the Lords escaping, raised the Country, and persuing *Patrick*, killed him with most of his Men. [2] Yet notwithstanding Prince *Llewelyn* being desirous of Peace, was willing to purchase it with his Money, and not long after offer'd the King Four Thousand Marks for all Damages, and to his Queen Two Hundred Marks, and to Prince *Edward* Three Hundred Marks for their Good-will; but the King refused to accept of it, saying, *What is this to all our Losses?*

[3] As for Foreign Affairs this Year, the King receiv'd the ill News that *Manfred*, Son of the Emperor *Frederick*, was, by the Bishops and Great Men of the Country, chosen King of *Sicily*; and that he had made Arch-Bishops and Bishops without the Pope's consent, and that in contempt of his Prohibition to the contrary, they had given that King all due Obedience; and besides that, the Nobility of that Kingdom took no notice of Earl *Edmund*, on whom the Pope had conferr'd it, but did their Homage and Fealty to *Manfred*, and gave him Possession of all their Cities and Castles.

The Civil Affairs of this Year proving so various and turbulent, gave the less opportunity for Ecclesiastical; only [4] about the Feast of *Ascension*, *Sewal*, Archbishop of *Tork*, departed this Life, being a Prelate of great Piety and Constancy of Mind; he died *Excommunicated* by the Pope, because he refused to obey his unjust Commands, nor would bestow the Revenues and Preferments of the Church upon unworthy and unknown *Italians*: at his Death he made a devout Prayer to God for Absolution from all his Sins, and appeal'd to him from the Pope's unjust Sentence, calling Heaven and Earth to witness, how unjustly he was persecuted; and then, after the Example of *Robert*, Bishop of *Lincoln*, sent the Pope a Letter, full of Complaints and wholesome Admonitions, but all to no purpose. [5] However, tho' he died thus *Excommunicate*, yet the Sentence being unjust, our Author reckons him a Saint, and relates a Miracle done by him before his Decease. Some time after which, the Chapter of *Tork* chose *Godfrey de Kniveton* for their Arch-bishop, who going to *Rome*, tho' not without great Charges, yet obtain'd his Confirmation, and soon return'd home. [1] Also this Year the Dearthness and Scarcity of Corn encreased more and more, by reason of the wetness of the Season which spoiled the Grain that was then abroad at *All-bollontide*, whereby the Famine became so great, that a World of poor People died of Hunger.

[2] This Year the Nobles kept their *Christmases* at *London* with the King, where they also treated among themselves with great Sollicitude, how they might carry on their Designs, and yet satisfie the Request of *Richard*, King of *Almaigne*, who had given them notice of his Intentions to return into *England*, to visit his Friends, and look after his own Affairs. But they suspected, that his coming hither might be to pour out his Indignation and Revenge upon the Barons,

Barons, for their behaviour towards his Father King *John*, and his Brother King *Henry*; and they were also afraid lest he might divide them, and bring off many to be his Followers, and so frustrate all their Purposes.

[3] About the Feast of *St. Hilary* (that is *January* the thirteenth) they again entered into a common and solemn Consultation and Debate, about his coming over into *England*; and thereupon sent the Bishop of *Worcester*, the Abbot of *St. Edmunds-bury*, *Peter* of *Savoy*, and *John Mansel*, to him, to know the cause of his so sudden and unexpected coming over, and how long he designed to stay here, and [4] to acquaint him, that before his coming hither, he must take an Oath to join with, and assist the Barons in compleating and establishing their late Provisions and Reformation. But King *Richard* being come toward the Sea-Coast with a well equipp'd Guard of good Horse, carried himself very haughtily towards these Messengers, swearing by the Throat of God, that he would not take the Oath they required of him, nor would he tell them how long he intended to stay in *England*; and farther added, that those Nobles ought not to reform the Kingdom without him, nor presumptuously undertake such a difficult business as that was, unless they had his Presence and Assent.

[5] The Nobility, upon hearing of this, fitted out Ships and Gallies from the Cinque-Ports, and other Places, resolving to fight him, and hinder his Landing if possible; and likewise rais'd an Army, both of Horse and Foot to oppose him: But when he had certain Intelligence of these Preparations, he became more calm and easie; and through the perswasion of his Friends, engaged by his Charter to take such an Oath as the Barons required of him; so on the Seven and twentieth of *January*, He with his Queen, and Son *Edmund*, Land-ed at *Dover*, with only Two *German* Earls, and Eight Knights, besides their Retinue, but they were not permitted to go into the Castle; the next Day King *Henry* met him at *Canterbury*, and both Kings went into the Chapter-House there, and then *Richard* Earl of *Gloucester* called upon the King of *Almain*, by the Name of *Richard*, Earl of *Cornwall*, (without ever having any regard to his being Crowned King of the *Romans*) to take the said Oath according to his Promise; which was in these words, viz.

[1] Hear ye, all People, that I *Richard*, Earl of *Cornwal*, do here swear upon the Holy-Gospels, that I will be faithful and diligent, together with You the Barons, to reform the Kingdom of *England*, hitherto too much out of Order by the Council of Evil Men; and I will be your effectual Helper to expel all Rebels and Disturbers of the same Kingdom, and will observe this Oath inviolably, under pain of losing all the Lands I have in *England*.

[2] On *Candlemass-Day* following, the Two Kings, with their Queens, made their publick Entry into *London*, and were received with great Joy, because King *Richard* had not brought his Half-Brothers over with him, as was expected.

[3] Eight

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[3] Id. ib.

And reassume

the Debate at

the Holy-

Days, and a-

gree to send

Messengers to

treat with

him about it.

[4] Id. p. 989.

King *Richard*

carries himself

very haughti-

ly towards

these Com-

missioners.

[5] Id. ib.

Whereupon

the Nobility

send out Ships

and raise an

Army to stop

his Landing.

Yet upon his

engaging to

take the same

Oath as the

Barons had

done, he is

permitted to

come.

The Earl of

Gloucester calls

him by no o-

ther Title

than *Richard*

Earl of *Corn-*

wall.

[1] Id. ib.

Whereupon

he takes an

Oath to join

with the Ba-

rons in the

Reformation

of the King-

dom.

[2] Id. ib.

The 2 Kings

with their

Queens, make

their Entry

into *London*.

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[3] *Id. ib.*
The Nobility
meet at London
in Parliament,
and treat a-
bout compo-
sing the diffe-
rences betw.
K. H. and the
K. of France.

[4] *Id. p. 980.*
Ambassadors
had been be-
fore sent into
France, to treat
about it, but it
came to no-
thing.

A great de-
bate in this
Parliam about
the difference
between the
K.s of France
and England.

[5] *Id. p. 986.*
Ambassadors
appointed by
the K. and the
Baronage, to
go to the K. of
France and his
Parliam. who
carry the K.'s
Resignation of
Normandy up-
on certain
Conditions.

[1] *Id. ib.*

[2] *Id. p. 987.*

But the A-
greement of
the Kings
is broke off
for the pre-
sent, because
the Countess
of Leicester
would not re-
sign her ex-
pectant Right.

Matt. Paris

here ends his

History.

The K. Q. and

K. Rich. go to

France to con-
clude the

Treaty with

that King.

[3] Eight Days after this, the Nobility, as they had agreed before at *Oxford*, met in Parliament at *London*; where the Earl of *Leicester*, having been for some time absent beyond Sea, also appear'd, bringing over along with him the Dean of *Bourges*, one of the *French* King's Privy-Council, to treat of composing the Differences between his Prince, and the King of *England*; the occasion of which was this.

[4] About the beginning of *November* last past, the Earl, with the Bishops of *Worcester* and *Lincoln*, and *Roger*, Earl *Mareschal*, had been sent, by Advice of the Baronage then Assembled at *London*, to meet the Kings of *France* and *Almain* at *Cambray*: But the Two Kings not coming thither, and nothing been done, all the rest return'd home, but only the Earl of *Leicester* stayed behind, and went into *France* to treat further about these Affairs of the *French* Territories detain'd by that King; and he having been long expected by the Barons, now again return'd to their great Satisfaction: in this Parliament there was no small debate about the Matter in difference between the Two Kings of *England* and *France*; and what had been before treated of beyond Sea, was now approv'd of, and thereupon a Peace was concluded on *St. Valentine's Day*, provided both the Princes would consent to what their Agents had agreed on and determined.

[5] In the beginning of *April*, by the Command and Advice of the King, and whole Baronage, the Earls of *Gloucester* and *Leicester*, *John Mansel*, *Peter* of *Savoy*, and *Robert Wallerand*, were sent over to the King of *France*, and his Great Parliament (or Assembly of Estates) holden at that time; and they carried along with them King *Henry's* Charter of Resignation of *Normandy*, with Letters Credential to put an end to all Disputes that were then, and had been for a long time depending between the said Kings, on that Account; as also to confirm and establish what had been lately agreed on by their Agents.

[1] But because these Envoys were (for some reason or other not mention'd) soon parted from each other, what was done in this Matter was not certainly known, or at least not made publick; yet this much appears from the same Author, that when all things were in a manner agreed on between the Two Kings, the [2] Countess of *Leicester* (Wife to *Simon Montfort*) would not resign her Right expectant in *Normandy* to the King of *France*; whereupon arose a mighty Quarrel between the Earls of *Gloucester* and *Leicester*, to the great satisfaction of the *French*; but at last (tho' with much difficulty) it was taken up and compromised by the Mediation of Friends.

Matthew Paris ending his History about the middle of this Year, hath left the Account of this great Transaction with *France* very imperfect, and therefore we must make it up as well as we can from *William Rishanger* his Continuator, and *Matt. of Westminster*; who both agree, that King *Henry*, his Queen, and *Richard* his Brother, with a vast Retinue, passed over from *Dover* into *France* presently after *Martinmas*, leaving the Custody of the Kingdom to the Archbishop of *Canterbury*, and *Hugh Bigod* the Justiciary. But I cannot, in this place, omit a remarkable Transaction, which was performed here, not long before the King's going beyond Sea, tho' I cannot find

find

find it in any other Author, but the MS. Chronicle of the City of *London*; that about the Feast of St. *Simon*, a great Parliament was held at *Westminster*, where the King being present, with many of his Earls and Barons, and an *innumerable multitude of other People, he there caused the late Agreement with the Barons, (by which I suppose this Author means the late *Oxford-Provisions*) to be openly and distinctly read; then the Archbishop of *Canterbury*, and divers other Bishops, being in their *Pontificalibus*, pronounced Sentence of *Excommunication* against all such as should presume to act any thing to the contrary.

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*Cum innume-
rabili Populo.

And in the beginning of *November* the King came to *St. Paul's Cross*, and the *Folk-mote* of the City being there Assembled, he took his leave of them, for he was then going beyond Sea; and at the same time he freely granted to the City divers new Privileges relating to that great Body. But to return to our History.

So soon as the King arrived, he sent Ambassadors to the King of *France* to demand Restitution of the Territories which had been wrongfully taken away from his Father King *John* and Himself, by *Philip* and *Lewis* his late Predecessors, as also by Himself, and which were by him still detain'd; the *French* alledg'd many things against it; and particularly, that the antient Donation of *Normandy* was never spontaneous, but had been forcibly extorted by Duke *Rollo* from the King of *France*.

The Argum.
of the French
against resto-
ring any thing
to K. Henry.

[3] Upon this King *Henry* having neither Courage enough to undertake, nor Money enough to maintain a War to recover his lost Rights, came in Person to the King of *France's* Parliament at *Abbeville*, and there made a Peace, and firm Agreement with that King, upon these following Conditions, viz. That the King of *England* should resign his Right to the Dukedom of *Normandy*, and Earldom of *Anjou*, upon payment of Three Hundred Thousand smaller Pounds of *Turon* Money; and in consideration of which King *Lewis* promised him the restitution of certain Territories in *Gascony*, of the yearly Value of Twenty Thousand Pounds *Sterling* Money; by which means having fully and absolutely resign'd his Right to all the rest of the Dominions in the King of *France's* Possession, King *Henry* from thenceforward shortened his Stile in his Patents and Letters, and no longer called himself Duke of *Normandy* and Earl of *Anjou*.

[3] Id. ib.
Who comes
to the K. of
France, and
makes a full
Agreement
with him for
all that had
been taken a-
way, with the
Conditions
thereof.

[4] But *Walter Hemingsford* in his Chronicle (tho' he allows the Agreement abovemention'd, yet) says, that K. *Henry* soon repenting him of it, would never receive the Money, and that he still used the aforesaid Titles in all his Writings, as long as he lived; But I doubt in this he is mistaken, for it is certain, that this Year he alter'd his Effigies upon his Seal, which instead of a Sword, carried a Scepter in its Hand, as may be seen by the Draught thereof in *Speed's* Chronicle.

[4] L. 3. c. 26.
Inter Scrip-
tor. Oxon. Edit.
Vol. II.
Walt. Heming-
ford's mistake
concerning
this Affair.

[5] Yet *T. Wikes* with greater Probability relates, that the King, so soon as he came over into *France*, sent *Robert of Gravesend*, Bishop of *London* to *Paris*, to Treat about the abovemention'd Territories; and that when the business was near finished, the King of *France* further insisted, that besides King *Henry's* own Release of his Right to those Territories, he should also procure the Charter of Prince *Edward* his Son, with that of King *Richard*, and of *Simon* Earl of *Leicester*, and their Heirs.

[5] Ibid.
Sub hoc anno.
A more exact
Account from
T. Wikes's
Chronicle.

But

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But upon the Earl of *Leicester's* opposing this Agreement above-mention'd, by reason of what future claim might occur to him and his Heirs, in right of his Wife, the King's Sister, as has been already said, this Peace did not then take effect; through which obstacle, the King and Queen staying beyond Sea till *Easter* following, they there spent a great deal of Money to little purpose.

But tho' this Treaty was not at that time fully concluded, yet it is certain it was made an end of, and ratified by the beginning of the following Year, as you will find anon: And I have been the more particular in this great Transaction, because Dr. *Brady* has given us such an imperfect Account of it.

[1] Cl. 43.
Hen. 3. M. 4.
Dors.
Adomar de-
sires to be ad-
mitted into
England, but
is deny'd.

I shall conclude this Year with some Ecclesiastical Affairs not mention'd by our Historians, but is found on [1] Record. *Adomar*, the Bishop Elect of *Winchester*, coming to *Rome*, had so far prevail'd with the Pope as to send one *Velasca* his Penitentiary and Chaplain, with Letters directed to the King and Barons, to intercede with them for his re-admission into *England*, and enjoyment of his Bishoprick: But the answer both of the King and the Barons to this Letter and Mediation, was a flat denial, tho' modestly drawn up; and it is printed in Dr. *B's* Answer to Mr. *Petyt's* Rights of the Commons, &c. on which Letter I will also make some Observations hereafter.

[2] P. 982.
The Monks
chose *Henry*
de *Wengham*,
Bp. of *Win-*
chester, who
refuses it.

But I shall at present add somewhat more concerning this *Adomar*, from [2] *Matt. Paris*, in whose absence the Monks chose *Henry de Wengham*, then Dean of *St. Martin's*, and Lord Chancellor, for their Bishop, and the King consented to it, but still saving the Right of *Adomar*, if he could obtain his Consecration to that Bishoprick from the Pope; but the Chancellor refused it, because the Title was Litigious, and likewise excused himself as being unfit for such a Dignity, as the cure of Souls, having read but little Divinity, nor studied the Scriptures as he ought; yet this seems but a politick fetch, for *Fulk*, Bishop of *London*, dying some time after, he accepted of that Bishoprick, notwithstanding his former pretended Insufficiencies, and procured the King's Letters [3] Patents, by Advice of his Council, to hold and retain all his former Ecclesiastical Dignities and Benefices (whereof the King was Patron) together with the Bishoprick, for so long time as the Pope should please to give him a Dispensation for it.

[3] Vid D.B.
Ap. N. 199.
where it is at
large.

[4] Id. ib.
N. 200. has
the Patent at
large.
Bp *Adomar's*
Stock granted
to the Bishop
of *London*, and
on what Con-
ditions.

[4] Whilst Bishop *Adomar* was beyond Sea, the King looking upon the Bishoprick as good as void, seized the Temporalities and Stock belonging to the said Elect, and granted Five Thousand Sheep, Two Hundred Cows, and Ten Bulls to *Fulk*, Bishop Elect of *London*, to Stock the Lands belonging to that See, warranting them against all the succeeding Bishops of *Winchester*; yet with this Proviso, that they should be restored to his Brother *Adomar*, when ever he should be confirmed by the Pope in that Bishoprick. This appears upon Record; and though the Roll be not worth the inserting here, yet you may find it in Dr. *Brady*, to whom I refer the Reader, who desires farther satisfaction therein.

[5] P. 989.
The sad Con-
dition under
which Engl.
lately groan'd.

[5] The Continuator of *Matt. Paris*, concludes this Year with a short account of the sad condition under which *England* had lately groan'd, through the domineering Power of the *Poictovins* and *Romans*, but especially of *Adomar*, Elect of *Winchester* above-mention'd, and *William de Valence*, the King's Half-Brothers, as also of *Peter of Savoy*

Savoy, the Queen's Uncle, who treated the King's Subjects, as well Ecclesiasticks as Laicks, very severely; for if any one who had suffer'd Wrong came to the Seneschal or Steward of *William de Valence*, to complain of any Injury done them, they only receiv'd this Answer, *If I do you Wrong, who shall Right you, whatsoever my Lord pleases, pleases the King*; whereas it should have been the quite contrary.

Likewise in those Days [1] the Pope's Legates, and the *Italians*, strangely domineer'd over both Clergy and Laity, exceedingly grieving them in Presentations to Advowsons, providing ample Benefices for their Friends and Relations, according to their own Will; but crossing the Bishops and Abbots in all things, and perplexing them with frequent *Excommunications*, whence it happen'd that the Great Men of the Kingdom being provok'd by their Insolence, were resolv'd (tho' late) to give some redress to these intolerable Mischiefs, and at last drove some of these Strangers out of the Kingdom, as will be related in due time, tho' they did not all at once, for at that time only the *Poitouvins* were banished.

[2] *William of Rishanger* makes the King to have kept his *Christmas* this Year at *London*, with a multitude of Strangers, but this is a great Mistake; for as *Matt. of Westminster* truly reports, (which is also confirmed by the Clause [3] Rolls of this Year) that he was then at *Paris*, making a final Conclusion of the late Treaty with the King of *France*: From hence it appears, that King *Henry* was from the Nineteenth to the Eight and Twentieth Day of *December* at *Paris*, and continued in *France* and *Flanders* a great part of this Year.

Matt. Westminster describes his magnificent Entertainment at *Paris*, and that King *Henry* kept his *Christmas* there, with many Noblemen his Attendants, being splendidly regal'd by the King of *France*, they sometimes feasting together, and sometimes treating of Affairs of highest Moment; and that then in a great Assembly of the Nobility, there was a final Peace and Agreement concluded and ratified by their mutual Charters, testified under the Seals of the Noblemen of both Kingdoms; by which the King of *England* surrend'ed to his Brother of *France*, all his Right in *Normandy*, and his other Territories; in consideration of which He was to receive a great Summ of Money from the King of *France*, with divers fertile and opulent Territories in *Guienne* and *Gascoigny* in exchange.

But the [4] *French* Historians are more exact, and tell us expressly, that their King, by his Charter then made over to Ours all that part of *Guienne* on this side the *Garonne*, and on the other side *Limosin* and *Peregord*.

But I do not find that this Agreement was ever confirm'd by the Prince, or his Uncle Earl *Richard*, as was at first insisted on; and then if not, according to the *French* Maxims, that Kings can only renounce for themselves, and not for their Heirs, it could only oblige those Princes that made it; and the *Annals* of *St. Augustine* of *Canterbury* farther tell us, that this Agreement being chiefly made by the Advice of *Richard*, Earl of *Gloucester*, and without the consent of the Prince (who then remain'd in *England*) he was very much incens'd against that Earl, and those other Counsellors of the King his Father, who procured it.

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[1]

Id. 16.

As also by the
domineering
Power of the
Popes Legates.Anno Dom.
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[2] Ib.

W. of Rishanger
makes the K.
keep *Christm.*
this Y. at *London*.
but is mistaken,
for he
kept it at *Paris*.

[3] Cla. 44.

H. 3. M. 5.

Dors. Dr. B.'s
compl. Hist. p.
636.Mat. of Westm.
Account of
the King's En-
tainment
at *Paris*, and
what he did
there.[4] *Paulus**Amilius* in
Ludovico San-
cto. Chexeray.
*Sub An. 1159.*The *French*
Historians re-
lation of the
Treaty betw.
K. *Lewis*, and
K. *Henry* about
his Dominions
in *France*.

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MCCLX.

[5] M. W.
King Hen. ha-
ving done his
Homage for
the Duchy of
Aquitain, takes
his Journ. for
Engl. but re-
turns to *Paris*,
on the sudden
Death of the

French King's
Son.

[1] W. R.
p. 990.

During the
King's Absence
the Great
Men sequester
the Revenues
of the *Italian*
Clergy.

[2] T. W. M. W.
p. 54.

* Note, Thom.
Wikes places
this under the
Year 1259.
but it is a mi-
stake.

King Henry at
St. Omers be-
lieving a false
Report of his
Son Edw. Con-
spiring against
him, begins to
raise an Ar-
my, but after-
wards is satis-
fied to the
contrary by
his Son's and
the Nobility's
Letters.

And comes o-
ver into *Engl.*
where he is
joyfully re-
ceived.

[3] M. W.
The K. con-
tinues in *Lond.*
to see the is-
sue of the
Differences
between the
Prince and E.
of *Gloucester*.

[5] So soon as this Treaty was finish'd, King *Henry* having done his Homage to the King of *France* for those Countries which he was to enjoy under the Title of Duke of *Aquitaine*, took his leave of him in order to return into *England*; but before he could reach the Sea-side, he received the News of the sudden Death of *Lewis*, eldest Son of *France*, a young Prince of a comely Presence, and great hopes; at which being much concern'd, he return'd to *Paris*, and attended as a chief Mourner at his Funeral, and then went back again with a full design to go for *England*, tho' he still met with somewhat to retard him, as you will hear presently.

[1] During the King's Absence, the Great Men had commanded all the Religious Orders, who farmed the Revenues of the Churches possess'd by the *Italians*, not to answer the Rents to them, but to pay them in at a time and place appointed, to such as should be assigned by the Barons to receive them; which if they refused to do, they threatened to burn their Houses and Goods, and to inflict the same Punishment upon their Persons as was intended for the *Romans*; they likewise commanded the Bishops not to interpose or concern themselves for any of the *Italians*, or their Revenues, upon the like Penalties; and so by this severe Provision or Decree of the Barons, *England* for almost Three Years was freed from these Exactors, until *Simon Montfort* was slain, or (as it was believ'd by this Monk) Crowned with Martyrdom.

[2] King *Henry* being arriv'd (as I said but now) at the Sea-side, as far as *St. Omers*, in order to his return into *England*, * heard a report (tho' a false one) that his Son, Prince *Edward*, (being discontented at his late Agreement with *France*) had conspired with some of the Chief Noblemen of the Kingdom, to Imprison or Dethrone him at his Return: to which Rumours giving too much credit, the King began to raise an Army for his Defence; but when the Prince his Son, and Earl *Richard* his Brother had notice of it, having assembled most of the Nobility to a great Council at *London*, they presently caused Letters to be written, and sent to the King, under the Seals of the Prince, and his Brother, with all the rest of the Great Men there present, assuring him of their entire Fidelity, and that he might return home with safety, whenever he pleased; wherewith being very well satisfied, he dismissed all his Forces, except Three Hundred Foreign Knights or Horsemen, (besides his own ordinary Retinue) and took Shipping, and landed at *Dover*, about the latter end of *April*, being met and joyfully received by Prince *Edward*, and all the rest of the Nobility; yet it seems the King's Suspicions were not quite removed, for he did not so much as salute some of those that had been formerly most in his favour.

[3] In the beginning of *May* the King came to *London*, yet went not to his own Palace at *Westminster*, but stayed at the Bishop of *London's* House near *St. Paul's* for about Fifteen Days, till he saw what effects those private Differences, that were now risen among the Nobility might produce; for the Gates and Streets of the City were then guarded, as if it had been a time of actual War; inso-much that none but Persons very well known, could go in or out of them; but the reason of this Disturbance was, that there had been some time before the K's arrival, a great misunderstanding between him and

and his Son (who then it seems took part with the Earl of *Leicester*, *Anno Dom. MCCLX.* and the Barons) and there was also a great Quarrel between Prince *Edward* and the Earl of *Gloucester*, with those of his Party; so that each Faction strengthening themselves, a Civil War had like to have broken out, had it not been for the Mediation of the King of the *Romans*, who did all he could to keep them in quiet till the King's Return. Not long after, He being come to his Palace at *Westminster*, the Baronage or Nobility of *England* were again summoned to meet the King at *London*; when they were assembled, the Injuries pretended to be done by Prince *Edward* to the King his Father, being first discuss'd, the Prince offer'd to prove his Innocence before his Father and Uncle, the King of the *Romans*, and that he was ready to make satisfaction for any thing he had done amiss; affirming, that all the rest of the Earls and Barons were not of Right his Peers, nor could exercise any Authority over him; whereupon the truth of those Accusations being now thoroughly canvass'd, and they appearing altogether false, the Prince was soon reconcil'd to the King and Queen, and all the Nobility, except the Earl of *Gloucester*, and those of his Faction.

which had like to have caused a Civil War, but was prevented by the King of the *Romans*.

An Assembly of the Nobility at *London*, in which the Prince is clear'd, and thoroughly reconciled to the King his Father.

[4] The Earl finding he could do no good against the Prince, accused the Earl of *Leicester* of divers Offences committed against the King, as well on this, as on the other side the Sea, and a Day was prefix'd for the Earl's Answer, wherein he was to clear himself from these Accusation; when it came, and that he appear'd ready to stand his Tryal, the Earl of *Gloucester*, with his Accomplices withdrew their Accusations, desiring that the business might be further adjourn'd till the next Parliament; for he was afraid least if the Earl were acquitted, he should recriminate; so this Disturbance being pretty well quieted for the present, the Parliament broke up to the King's great satisfaction.

[4] *Id. ib.* The Earl of *Gloucester* accuses the Earl of *Leicester* of many great Offences but a Day being appointed to hear the Accusation, the Earl of *Gloucester*, withdraws it.

[5] About this time, as the City MS. Chronicle relates, the King caused a *Folkmoete* of the Citizens to be assembled at *St. Paul's Cross*, whither he himself came with his Brother, King *Richard*, and divers other Noblemen, and there told them, that all of the Male Sex, above Twelve Years of Age, should take an Oath before the Alderman of their particular Ward, to be faithful to the King, and after his Decease to his Heir, without naming any Person; which was done accordingly.

[5] *In Libro de Antiquis Leg.* The K. causes all the Males in the City, above 12 Yea. of Age to take a New Oath of Fealty.

Some time after, *Richard*, [1] King of the *Romans*, having now continued in *England* about a Year and a half, being put in mighty Expectations by the Pope of obtaining the Empire, went beyond Sea about the end of *June*, with his Queen, for *Italy*; but being frustrated of his main designs by the great Factions made against him, he stayed not long in *Germany*, but return'd again in *October* following.

[2] *Id. ib.* King *Richard* goes beyond Sea, in hopes to obtain the Empire, but is frustrated.

Some time after *Michaelmas*, [2] *John*, Son to the Earl of *Bretagne*, came over hither, and married the Lady *Beatrice*, the King's second Daughter, and at the Feast of *St. Edward* next following (which was held with more than ordinary Solemnity) received the Order of Knighthood, as did also the Two Sons of the Earl of *Leicester*. And these, together with Prince *Edward*, went over beyond Sea to a great Tourneament they had appointed there.

[2] *T. W.* The Earl of *Bretagne* arrives in *Engl.* and marr. the King's second Daughter.

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[3]

Id. ib.

A Parliament

held, wherein

several great

Officers are

chosen.

[4] M. W.

The King and

Queen of Scots

come to Lond.

and on what

Account.

And are nobly

received,

with his daily

Allowance for

his Journey.

[5] T. W.

Adomar Bp. of

Winchester, re-

ceives the

Pope's Consecration,

but dies in his re-

turn home.

[1] R. W.

The Death of

P. Alexander,

so whom Ur-

ban succeeds.

[2] Dr. P.'s

Chron.

Pr. Llewellyn

invades the

Territories of

Sir Roger Mor-

timer in South-

Wales, and

takes them.

[3] M. W.

The King sum-

mons all that

owed Military

Service, to

provide for

an Expedition

into Wales.

The Earl of

Leicester

made General

of the Army.

About the same time also there was held a Parliament [3] where, after some Debates, a new Justiciary, Chancellor, and Treasurer, were appointed by the Barons, in the places of those that were either lately dead, or else prefer'd, or had resign'd; as *Nicholas*, Arch-Deacon of *Ely* was made Keeper of the Great Seal; the Abbot of *Peterburgh* was appointed Treasurer, and *Hugh d'Espenser* chief Justiciary.

[4] This Year, in Autumn, the King of Scots came to London upon divers Accounts, partly to see the King and Queen, as also to appear and act as Earl of *Huntington*; but the chief Causes were to demand the Sum of Four Thousand Marks, which he said remain'd; yet unpaid of his Wife's Portion; as likewise to renew his Demands for *Cumberland* and *Westmorland*; some Days after him, the Queen his Wife arrived, big with Child, having a great desire to see her Relations and Country, and to Lye-in here; they were received with great Solemnity, and certainly the State and Expence must be very great, when no less than Three King's appear'd at once; and it was said, that from the time of his coming into *England*, to his return into his own Country, he received Five Pounds a Day for his Expences (which was then more than Forty Pounds now:) this he claim'd as a Right, tho' many affirm'd, that it was no otherwise given, than by the King's Bounty; but how he succeeded in the Business he came about, our Author does not tell us.

[5] As for the Ecclesiastical Affairs of this Year, the most considerable are, that *Adomar*, Bishop Elect of *Winchester*, having at last obtain'd the Pope's Favour, and receiv'd his Consecration from his own Hands, took his leave of him in order to return into *England*, but died by the way at *Paris*: And his Departure was very grateful to all those, who were for maintaining the late Provisions at *Oxford*.

This Year is also noted for the Death of divers other considerable Noblemen, Bishops, and Judges, for whose Names I refer the Reader to my Author. [1] But it is much more remarkable for the Decease of Pope *Alexander* IV. to whom succeeded *Urban* IV. who was Consecrated the fourth of September after.

This Year, tho' *England* continued quiet from Civil Wars, yet [2] Prince *Llewellyn* early in the Spring appear'd in the Field, and pass'd into *South-Wales*, and there fell upon Sir *Roger Mortimer*, the King's Governour in those Parts; and having forcibly dispossest him of all *Buelhr*, and without any opposition taken the Castle of *Melyenyth*, and killed those in the Garison, he marched through all *South-Wales*, making new Conquests about *Brecknock*, and afterwards return'd to his Palace at *Aber*, betwixt *Bangor* and *Conwey*.

[3] But when this News came to the King's Ear, he, fearing lest these Disturbances might end in an Invasion upon *England*, issued out a Proclamation, that all Persons that owed Knight-Service should provide all things necessary for an Expedition into *Wales*, to revenge the Injuries the *Welsh* had done the King there. Then the Earl of *Leicester* was appointed General of the Army, as being the most Valiant and experienc'd Commander *England* then had; but divers Accidents happening which hinder'd this Expedition, so it ended in a Truce, tho' but for a short time neither. But we shall now return to Matters of far greater Moment at Home.

[4] But

[4] But tho' the King, together with the Prince his Son, had solemnly sworn to observe the Provisions of *Oxford* (as you have already heard) yet He now began to grow grievous, weary of them, and was resolved not to be bound up by them any longer; yet fearing the imputation of Perjury, He had sent privately the Year before to the Pope to be absolved from his Oath to the said Provisions, which was obtain'd about this time, without any great difficulty, both for the King, and Prince *Edward* his Son: But Pope *Alexander* deceasing this last Year, before the Dispensation could be seal'd, the King was forc'd to stay some time till it could be confirm'd by Pope *Urban* his Successor.

The Continuator of *Matt. Paris* falsely supposes the King to have kept his *Christmas* this Year in the *Tower of London*, as being afraid of the Barons, because he had broken his Oath with them, concerning the abovemention'd Provisions; but this Author is again mistaken in the placing this Year, as well as the last; for I find in better [5] Authors, that he kept this Feast at *Windsor*, with his Queen, and his Daughter the Queen of *Scots*, being then ready to Lye-in; and it is not likely that the King would as yet pull off the Vizard, or declare himself Jealous of the Barons, before he had receiv'd his Absolution from *Rome*.

[1] But it is certain that in the beginning of *February* the King having held a secret Council, resolved to declare himself, and shake off that Yoke which the Barons had laid upon him; wherefore having some time after summoned them to a Council or Parliament at *London*, he there plainly and briefly told them, that since by the late Provisions of *Oxford*, which they had made both Himself and his Son Prince *Edward* to swear to observe, they had likewise obliged themselves on their part, to encrease his Revenue, and pay his Debts, neither of which he had by experience found to be by them perform'd, according to their Engagements; but instead of that, seeking their own private Interests, they had rather diminish'd than increas'd his Revenues; and that by putting himself under their Government, he was become more their Slave than their King; therefore they must not wonder, if trusting no longer to their Councils, he had now sought for redress elsewhere.

For indeed besides his sending to *Rome* for Absolution, he had now wrote to the King of *France*, and his Son Prince *Edward*, (who was then gone over thither to a Tourneament, as I have said before) to provide him what Forces he could.

And [2] being now resolved actually to vacate all these late Provisions, about the beginning of *March* he put himself into the *Tower of London*, together with the Queen, and then commanding the lock of the Treasure (which had for some time been kept there) to be forced open, he employed the Money to repair and strengthen the Walls of the *Tower*, where it most needed: Moreover, he order'd the City of *London* to be fortify'd round about, and called all the Youth of the City, from Twelve Years old and upwards together, causing them to swear Fealty to him; and commanded it to be proclaim'd, that whoever would take up Arms under him, should be maintain'd at the King's Charge. Upon this many Barons, from all parts, came with multitudes of Armed Men, who were lodged without the Walls, because the Citizens refus'd to give them any Entertainment.

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[4] M. W.
The King being weary of the *Oxford* Provisions, seeks to get a Dispensation from the Pope.

Will. Rishanger again mistaken.

[5] M. W. T. W.
The K. keeps his *Christmas* at *Windsor*.

[1] Id. ib.
And having held a secret Council, resolves to cast off the *Oxford* Provisions.

He summons a Parliament, wherein he plainly declares he will be no longer bound by them, and for what Reasons.

[2] Id. ib.
And then in order to it, puts himself into the *Tower*, and seizes upon the Treasure there, and with it fortifies the *Tower* and City, and makes all of above 12 Years old to take a new Oath of Fealty.

These

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Upon a Report, that the King intended to impose new and unheard of Taxes, he issues out a Declaration to the contrary.

[3] 45. H. 3.
M. 15. Dors.
Dr. Brady's
Appen. N. 15.

[4] Ex libro
Civitatis Lond.
de Antiquis
Legibus.

The King makes
Philip Basset,
his Justiciary,
against the
Will of the
Barons.

[5] W. R. M. R.
The King goes to
all the Cinque-
Ports, and
takes fresh
Oaths of Fi-
delity from
their Barons,
and then gives
the Govern-
ment of Dover Ca-
stle, to Edw.
de Waleran.

The King re-
ceives the
Pope's Bull of
Absolution
for himself
and the Prince

And by the
Mediation of
the Bps puts
all Differences
between him-
self and the
Barons to 3
indifferent
Persons.

[1] Idem.
The Prince
returns into
England, and
brings Will. de
Valence over
with him.

The Prince
understanding
by what Coun-
cils his Father
was govern'd,
adheres to the
Barons.

These were the grounds and beginnings of that unhappy Civil-War, which for near Four Years tormented this Kingdom; but upon these Alterations, those who had no kindness for the King, raised a report, that he would impose upon, and exact from the Great Men and Community of the Kingdom, undue and unheard of Taxes and Talliages: Therefore the King being sensible of this, by his [3] Writ or Declaration, bearing date at the Tower of London, the fourteenth of March, directed to the Sheriffs of all the Counties of England, took notice of it, and after having recited the abovesaid Calumnies, he Commands them to make Proclamation that he intended no such thing; and if they found any such Reporters of Lyes, to arrest and secure them, till they could produce the Authors of them, or that they should receive further directions from himself.

[4] Then the King kept his Easter at Winchester, where taking Courage, he made the Lord Philip Basset his chief Justiciary, against the Will of the Barons; by reason of which there arose a great Dis-sension between the King and them; but He did not much regard that, for being now resolved to proceed in the Course He had al-ready begun, He went a Circuit [5] to all the Cinque-Ports, and received the Oaths of Fidelity from the Barons of them; and coming to Dover, he took the Government of the Castle from Hugh Bigod, and gave it to Edward de Waleran, together with the Custody of the Cinque-Ports, and County of Kent. Then the King return'd to Lon-don, where He not long after receiv'd from the Pope the Bull of Ab-solution, both of Himself and his Son Prince Edward, from their Oaths to the Provisions of Oxford, but the Prince then refused to accept it, tho' afterwards he was perswaded to it: However, the King received it joyfully; but when the Barons had notice of it, they sent Messengers to him, Humbly beseeching him to observe the Oath he had so solemnly taken; and if any thing displeased him, and that He would be pleased to shew it, they would amend it. To which the King in great Passion replied, That they had fallen from their Agree-ment, and He would be obliged no longer by it; yet at length, through the powerful Mediation of the Bishops it was consented to, that Two discreet and indifferent Persons should be chosen, One by the King, and the Other by the Barons, who should make choice of a Third, and these Three were to hear the Complaints on both sides, and settle a lasting Peace betwixt them: But nothing could then be determined in this Affair, because Prince Edward was beyond Sea, and therefore it was adjourn'd till his return.

And [1] he having notice, that the Agreement between the King and the Barons depended upon his coming over, (having got the better in the late Tourneament at Paris) forthwith return'd into Eng-land, and brought along with him his Uncle William de Valence, who had been for some time before banished the Kingdom; yet could he not obtain leave to return, until he had sworn to be obedient to the Provisions of the Barons, and to answer such Complaints as should be made against him.

But when the Prince understood by what Councils his Father had been govern'd, he was very angry, and retir'd from his Presence, and adhered to the Barons, according to his Oath, and enter'd into a Confederacy with them, to search out, and drive away from the King,

King, all evil Counsellors, and their Favourers, because that by their Instigation the King had been deceiv'd; and those Provisions, which the Prince then believ'd to be beneficial both to the King and Kingdom, were now vacated by the Pope's late Absolution.

When this came to the King's Knowledge, He and his Counsellors were very much afraid, and secured themselves forthwith in the Tower of London, whilst Prince Edward remain'd with the Noblemen; to whom there was now a great and continual Resort.

But that which made worse for the King's Interest, was, that the Earls of Gloucester and Leicester, who were before at variance, were now reconcil'd, and confederating themselves with the Prince, and other Noblemen, threaten'd, that if the King did not remove from his Councils, those Disturbers of the Publick Peace, they would do it by force; but the King keeping himself, and those Counsellors they disliked, close up in the Tower, a Peace, by the Queen's Mediation, was patch'd up on the sudden, between the King and the Barons, so that for the present they seem'd reconcil'd, and all things remain'd for a time in the same state they were at the making of the said Provisions.

[2] But things did not long continue in this Posture, for the King [2] M. W.

finding himself now somewhat more at liberty, resolv'd to set himself wholly free from the Imposition of the Barons, as well as from his former Oaths: Wherefore he went now boldly on Progress about the Cities and Castles of the Kingdom, resolv'g to repossess himself of them, being much encourag'd to it by the Promise which the King of France and his Nobility had made him, of sending a great Assistance; insomuch that the Earl of St. Paul, and Gerard de Rhodes, were come over to the King with a great many Foreign Soldiers, who receiv'd Forty Days Pay before their Arrival, and the Earl himself had Ten Marks a Week out of the Exchequer. Then the King went to Winchester, and kept his Whitsontide in that Castle, where calling before him the Justitiary and Chancellor, who had been chosen by the Barons, he demanded from them the Seals, and the Rolls belonging to their Office; but they answer'd that they could not therein obey him without the consent of the Barons: When the King heard this, he notwithstanding made Walter de Merton, Chancellor, and Sir Philip Bassett chief Justitiary, in the room of Richard de Lucy, whom he did not look upon as one firm to his Interest.

[3] But Thomas Wikes has given us a better reason of the King's Confidence at this time; for he now publickly produced and shew'd to all the Noblemen there present, the Pope's Bull, whereby he was absolved from the Oath which he had taken concerning the late Oxford-Provisions, as in it self unlawful, being made without his Holiness's consent, who was his supreme Lord, and whose Vassal the King now acknowledged himself to be; adding, that neither would he be oblig'd by his Oath, because he made it against his Will: Thus could Princes, in those Days be absolved either for Money or Favour, from what Oaths they thought inconvenient for their Interest: And it shews us how impracticable a thing it is, to think to make Princes, (unless it be by force) to observe those Oaths or Promises they make by compulsion, and only to serve a present turn.

Anno Dom.
MCCLXI.

Whereupon the K. being afraid, shuts himself up in the Tower.

The Earls of Leicester and Gloucester are reconciled, and threaten the King, that if he did not remove his Evil Counsellors, they would do it by force.

The King goes on Progress, and repossesses himself of the Cities and Castles, being encourag'd by the Promises of the King of France.

The K. turns out the Justitiary, and Chancellor, who had been chosen by the Barons.

[3] In hoc Anno. The King shews the Pope's Bull of Absolution from the Oxford-Provisions, as being made without his consent, whom the K. own'd as his supreme Lord.

When

Anno Dom.
MCCLXI.

[4] *Id. ib.*
M. W.
Whereupon
the Great Men
take Arms.

The King re-
tires into the
Tower.

[5] *Id. ib.*
The K. sends
Justices Itine-
rant all over
England, but
the Barons
forbid all Men
to appear be-
fore them.

[1] *Id. ib.*
A great di-
sturbance a-
bout the new
Sheriffs raised
by the King.

Rot. Char. H. 3.
M. 46. Dors.
[2] Append.
N. 205.

The King is-
sues out his
Writs, setting
forth the Ju-
stice of his
Cause, and
commanding
all such to be
apprehended
who adher'd
to the Provi-
sions of Oxford
or opposed
the new She-
riffs.

[4] When the Great Men of the Kingdom understood this, and had consider'd how contrary it was to the late *Oxford-Provisions*, and fearing the King should take upon him wholly to disannul all that had been then agreed on, they presently put themselves into Arms, and made haste to march to *Winchester*, where the King then was; but *John Mansel* hearing of it, and being much afraid for the King's as well as his own and his Accomplice's safety, he went privately thither, and warning the King of the imminent Danger, advis'd him speedily to retire; whereupon He immediately left that Place, and made haste to the *Tower of London*, with a small Retinue.

[5] About this time the King, by his own Commission, and without the consent of the Barons, sent Justices Itinerant all over *England*, who, though they sat quietly at *Gloucester*, yet coming to *Hereford* some Days after *Midsummer*, they could Act nothing there, because some from the Barons forbade all Men, at their Peril, to appeal, or plead before them, because they had gone their Circuits within less than Seven Years time, before the end of which, it was not lawful by the late Provisions to begin new ones; as also because the Justices had not issued out the Legal Summons of Forty Days, which was then requir'd by Law.

[1] This Year likewise there was a great disturbance in the Nation, by reason of the new Sheriffs, whom the King had now named in the room of those the Barons had formerly made: wherefore the People of several Counties, being excited by some of the Great Men of the Kingdom, stoutly resisted those Sheriffs, and would neither obey their Precepts, nor appear before them; at which the King being very much concern'd, directed his Writs or Letters to his Sheriffs, in all the Counties in *England*, to force the People to their former Loyalty, and good Opinion of his Actions; which being upon Record, I shall give you the Substance of them from Dr. *Brady's* [2] Appendix.

The King recites his own late submission of himself, and the Affairs of his Realm to the Provisions at *Oxford*, under certain Conditions which the Barons had not perform'd on their part; and further sets forth the Injustice of those Ordinances, which tended to the prejudice and depression of his own Royal Power, as well as the damage of his People; and also acquaints them with his Absolution from his Oath to observe those Provisions, which was granted him both by Pope *Alexander* and *Urban*, as likewise his own readiness to do Justice to all Men, both Great and Small, in his Courts, to which they might freely, and with all security resort. And moreover declares his willingness to observe the Articles contain'd in the Great Charter, and Charter of Forests, which they, the Sheriffs, were now commanded to proclaim in all places; and were ordered to apprehend and secure all such as adhered to the former Ordinances of *Oxford*, or presum'd to speak or act any thing prejudicial to the Rights of the Crown, or his own Honour and Dignity, or to the Sheriff's execution of their Office.

Thus

Thus did this King, being in a great streight, make no difficulty to give large Promises, and specious Declarations, which when the Danger was over he observ'd as he thought fit. But to return to our History.

The Quarrel being thus begun afresh between the King and his Barons, and still encreasing, the Earls of *Leicester* and *Gloucester*, with many other Noblemen, went a Circuit round the *Cinque-Ports*, and obtain'd an Instrument from them, whereby they engaged, that they would stand by the Barons for their fidelity to the King; and that as for the Kingdom, they would guard it so well, that no Stranger should enter it to its prejudice; at which News the King, and those of his Party were highly concern'd: From whence we may observe the great Power of the *Cinque-Ports* in those times, to which the chief Guard of the Kingdom, by Sea, was then committed, and which in that Age sound the King no less than a Fleet of above Fifty Sail, each Town according to its proportion; and this they were to do for the Privileges they enjoy'd.

[4] After this the Barons again assembled at *London*, about the Feast of *All-Saints*, of whose Power the King being afraid, he still kept himself, with those of his Party, close within the *Tower of London*, and from thence speedily summon'd all those that ow'd him Military Service, to come to his Assistance: But when the Adherents to both Parties were now Assembled, either of them fearing the doubtful Success of a War, a Treaty of Peace was again set on foot, by the mediation of some cool and moderate Persons amongst them; and it was then agreed, that all differences between the King and them, should be left to the Arbitrement of certain Noblemen to be chosen for that purpose; and so all this Labour and Disturbance that the Barons gave themselves came to nothing for the present; but you will hear more of it the next Year.

In this nothing else happen'd remarkable, but the death of *Sanchia*, Sister to the Queen, and second Wife of *Richard*, King of the *Romans*, who was soon after buried in the Monastery of *Hailes*, which her second Husband had Founded.

[5] King *Henry* kept his *Christmasts* there in the *Tower*, together with such Counsellors, as our Author supposes were not for his own, or the Kingdom's benefit; so that [1] the difference between the King and the Barons grew still wider and wider, for He now caused the new Pope *Urban's* Dispensation of his Oath to the late *Oxford-Provisions* to be openly read at *St. Paul's-Cross*, and not long after to be proclaim'd through all *England*; by which, not only the King, and the Prince his Son, but likewise all others who had sworn to them, were absolved from them, however very few of the Barons would accept of it.

[2] But tho' this Dispensation displeased a great many, yet none of the Bishops durst shew their dislike of it, except *Walter de Cantelupe*, Bishop of *Worcester*, who, on the behalf of himself, and all the Great Men of *England*, publicly appeal'd from it to the Pope himself: But this Appeal signified nothing, so long as the Pope and the King had both agreed against the Observation of those Provisions.

Anno Dom.
MCCLXI.[3] N. W.
Annal. Str. Ang.
gesti in Bib.
Col. Sci. Ben.
Cantab.The Earls of
Leicester and
Gloucester go a
Circuit about
the Cinque-
Ports, and
engage them
to stand by
the Barons.[4] M. W.
The Barons
assemble again
at Lond. whilst
the K. keeps
close within
the Tower.Both Parties
agree to refer
all their Dis-
ferences to
certain Noble-
men equally
chosen be-
tween them.The Death
of the Queen
of the Romans.Anno Dom.
MCCLXII.[5] W. R.
M. W.The Breach
between the
King and the
Barons grows
wider, upon
his causing
the Pope's
Dispensation
to be openly
read at St.
Paul's-Cross.[2] A. S. A.
None of the
Bishops durst
shew their
dislike to it,
but the Bp. of
Worcester, who
appeals to the
Pope himself.

Anno Dom.
MCCLXX.

[3] *Id. ib.*

The Barons finding the King and the Pope agreed, think best to make the best Terms they can.

It is at last agreed, that the Barons shall refer themselves wholly to the King's Pleasure, and that of the King of the Romans.

[3] And now the Barons finding that the King was resolved wholly to lay aside these uneasy Bridles of his Prerogative, and that the Pope had thus declared for his Interest, they thought it high time to make the best Terms they could with him: Therefore after a long Debate between both Parties, (*Richard King of the Romans* being appointed to transact for the King his Brother, and the Earl of *Gloucester* for the Barons) it was at last agreed, that the Barons should renounce all their former Demands, and refer themselves wholly to the King's good Will and Pleasure, and the Judgment of the King of the *Romans*, in all things concerning the Government of the Kingdom; but the Earl of *Leicester* not consenting to this, left the Court, and tho' many of the other greater and lesser Barons were not at all pleased with this Agreement, yet it was in vain for them to stand out, the greater Part having already complied with what the two Kings would have done: So changeable were the Baron's Resolutions, varying according to their several Humours, and the present Circumstances of Affairs, of which we are not at this distance competent Judges.

[4] *In hoc*

Anno.
The Barons meet fifteen days after Easter, and yield to give up some of the Oxford Provisions, provided he would confirm the rest.

Four Persons to be nam'd for Sheriffs, out of whom the K. of the Romans was to chuse one.

[5] *Id. ib.*
The Great Men meet again to conclude the former Agreement.

The King of his own free Will commands the Oxford Provisions to be observed.

The same that some years after were inserted into the Statutes of *Marlebridge*.

But [4] *Thomas Wikes* gives somewhat a larger, and more different Account, and relates, that fifteen Days after Easter the Barons met again at *London*, to treat with the King; where, after many Debates, they at last yielded, that if he would confirm some of the *Oxford Provisions*, they would give up all the rest; and it was likewise then provided, that the Barons should elect out of every County Four Knights, whom they should judge most fit for *Sheriffs*, whose Names being given in to the King of the *Romans*, he out of them should nominate one for each County, whom he thought best qualified for that Office; and these were to continue but till *Michaelmas* following, and then the King was again to name whom he pleased.

[5] Then presently after *Whitsontide* the Great Men met at the same Place, to conclude and settle the former Agreement: But the Earl of *Leicester* being discontented at what had been done, went over into *France*; and now (it seems) the King did in some Points anew confirm the late *Oxford-Provisions*; for *Matt. Westminster* says expressly, that the King following more wholesome Counsels, of his own free Will commanded the Constitutions of *Oxford* to be inviolably observed, and sent them down into every County. But tho' none of our Historians have given us the Heads of the Articles that were now agreed to on both Sides, yet I find in two antient MSS. (the one in *Bennet-Colledge Library in Cambridge*, and the other in the *Bodleian in Oxon*) that those Statutes chiefly related to those Suits of Court, and Distresses made by Tenants in *Capite*, and other Lords of Mannors, upon their under-Tenants, which being very much for the Benefit both of the Lords and Tenants, were some Years after again confirmed by the King, and inserted Word for Word in the Statutes of *Marlebridge*, as you will find at the End of this King's Reign.

[1] *Id. ib. M.W.*

All Quarrels between the King and Barons for a while reconciled.

[1] After the King's passing and confirming of these Laws, all Quarrels between him and the Barons seem'd for the present to be made up; So that about the end of *June*, the King of the *Romans* went over for *Germany*, and about the end of *July* or beginning of *August*, King

King *Henry* with his Queen passed over to their Territories in *France*, where they continued till almost *Christmas*, tho' our Authors are silent as to what was done there; only that the King, and several others near his Person, fell dangerously ill of *Quartan Agues* at *Bordeaux*; which delay'd his Return longer than he designed.

[2] In the mean time *Richard* Earl of *Gloucester* dying, his Son *Gilbert* was now obliged to go over into *France* to the King, to compound for his Father's Estate; but the King having had no Kindness for him, because he had held him so strictly to the *Oxford-Provisions*, the Son was received very roughly at first; yet at length, by the means of *William de Valence* the King's Half-Brother, he treated him more favourably, and at last having made a full Agreement with him for his Lands, he was sent home well satisfied for the present; yet all that had been done could not oblige this Young Lord to take part with the King in the War, which not long after broke out; for it seems his Father had upon his Death-bed charged him not to depart from those *Statutes* or *Provisions* above-mentioned. But to return to the Affairs of *England*.

[3] During the King's Absence in *France*, the Earl of *Leicester* arrived here privately from thence, about the beginning of *October*, without being reconciled to the King before he came over; but so soon as he came to *London*, he appeared at a Great Council, which the Lord *Philip Basset*, Justiciary of *England*, then held; where the Earl produced a Brief or Letter from the Pope, wherein he confirm'd the Provisions of *Oxford*, and recalled the King's Absolution, declaring, that he was deceived in the granting of it. This Brief was publickly read in the Council, contrary to the Will of the Justiciary, but as soon as ever the Earl had published it, he presently went back into *France*, to prosecute the Design which he had now again set on foot.

This Passage is found in no other Writer, except the Manuscript Chronicle of *St. Augustine*; and, if true, not only shews us the variable Temper of the Pope and his Court, in first condemning, and now again confirming the *Oxford-Provisions*; but also gives us the Reason of the so sudden Change in the Baron's Humour, from what it was in the beginning of this Year; and shews us the Cause of what happen'd in the next, as you will find by and by: But if the Absolution was now recall'd, it was shortly after re-confirm'd, as we shall hear anon.

I have nothing else worth taking notice of under this Year, [2] but that the *Welsh* still continuing their Hostilities, a little before *Christmas* a Party of Prince *Llewellyn's* Men seized by Surprise the strong Castle of *Melienyth*, or *Kenet*, belonging to Sir *Roger Mortimer*; and having put most of the Garison to the Sword, they took *Howel ap Meyric* the Governour, with his Wife and Children, Prisoners; and after that, the Castle was demolished by the Prince's Order: But when Sir *Roger* heard of it, he marched with a great Body of Lords and Knights to the Castle, where Prince *Llewellyn* met him; but *Mortimer* not daring to hazard a Battel, took Shelter within the Ruines of his Castle, and not finding himself secure there, desired leave of the Prince to retire peaceably: Thereupon, by reason of the near Relation that was betwixt them, and withal because he would

Anno Dom.
MCCLXII.

R. Henry and his Brother both go over beyond Sea.

[2] A. S. A.

The Earl of Gloucester deceasing, his Son goes over to the King, and is roughly received, till his Peace was made by William de Valence.

Then is sent home well satisfied for the present.

[3] Id. ib.
The Earl of Leicester arrives in England.

And at a great Council, produces a new Bull from the Pope, in Confirmation of the Oxford-Provisions, which was publickly read.

[2] Dr. P. Chron.
The Prince of Wales seizes certain Castles in the Marches.

And permits Sir Roger Mortimer to retire in safety.

Anno Dom.
MCCCLXII.The Prince
makes himself
Master of
Brecknock and
the adjacent
Country.[3] Dr. P's
Chron.Sub hoc Anno
Matt. Westm.
gives some-
what a dif-
ferent Account
of this Acti-
on.

not be thought so mean spirited as to fall upon an Enemy that wanted Power to resist him, he let him go off with his Forces, and then the Welsh Prince passing on to Brecknock, made himself Master of it with the Desire of the People of that Country, who thereupon swore Fidelity to him, and then he returned to North-Wales.

This is the Account the [3] Welsh Chronicles give of this Action, and is (I suppose) the same which Matt. Westm. relates; only he calls it the Castle of Kenet, and further adds, that it was taken by Surprise, and not delivered for want of Victuals; yet says nothing of the Earl's enclosing himself within its Ruines, nor of Prince David's Licence for his Retreat; but, on the contrary, that Roger Mortimer being highly incensed at this Affront, called to his Assistance some of the Lords Marchers, who not only destroyed the Welshmen by frequent Excursions, but also laying Ambush for them in fit Places, sometimes slew three or four hundred of them at a time; and they likewise in return surpriz'd and slew about the like Number belonging to the Marchers.

Anno Dom.
MCCCLXIII.

[4] G. R.

[5] MSS. in
the Herald's
Office.The King and
Queen kept
Christmas at
Canterbury.

[1] A. S. A.

The Quarrel
between the
King and the
Barons breaks
out afresh, and
on what Oc-
casion.[2] In libro de
Antiquis Leg.
London.[3] Dr. P's
Chron.Prince Llew-
ellyn invades
the Earldom
of Chester.

[4] T. W.

M. W.
Prince Ed-
ward is or-
der'd by his
Father to
march into
Wales.The Welsh re-
tire into their
Fastnesses.

The King and Queen being now returned out of France, (according to [4] Matt. Paris's Continuator) kept their Christmas in the Tower of London; but I rather credit [5] John Eversden's Chronicle, and the Annals of St. Augustine, which do both assure us, that the King and Queen landing at Dover on St. Thomas's Eve, came to Canterbury, where the Lord Philip Basset, and John Mansel the Justiciary, meeting them, with some others of their Party, they kept this Festival at that City; and it is very certain, that not long after the old Quarrel between the King and his Barons began afresh. [1] For the Earl of Leicester, and those of his Party, (being much the greater Number) positively insisted, and were very urgent with the King, that the Provisions of Oxford might be again observed and proclaimed anew through the whole Kingdom: This the King refused to grant, insisting upon the Pope's Absolution from his Oath, being seconded by the King of the Romans, Prince Edward, and divers other Great Men, who were the King's chief Counsellors and Ministers; so that (as the [2] City Annals relate) the King was so far from agreeing to the Baron's Demands, that about the same time he issued out his Writs throughout England, expressly forbidding the said Statutes or Provisions to be any more observed.

Yet however a Civil War did not presently break out, both Parties being either not sufficiently prepar'd, or else taken up in putting a stop to the Incursions of the Welshmen; [3] who in the beginning of the Spring, under the Conduct of their Prince Llewellyn, being confederated with such Barons of those Parts as were Prince Edward's Enemies, invaded the Earldom of Chester, and taking the Castles of Dyserf and Tyganway, the latter of which (being one of the strongest in the Marches) was delivered up to him for want of Provisions.

Whereupon Prince Edward being newly returned home, about Easter, with a great number of Foreign Souldiers, some time before Whitson-tide he was ordered by his Father to march with them against the Welsh; thereupon entring the Countrey, and advancing towards Snowdon, the Prince found them retreated into their Fastnesses in the Mountains

Mountains and Woods; so that not being able to attack them by reason of the Roughness of the Countrey, and Thickness of the Woods, all he could do was, to secure the rest of his Castles, by providing them very well with Souldiers, and all things necessary for Defence: At last having made a short Truce with Prince *Llewellyn*, he return'd into *England* some time after the above-mention'd Festival; but the main Design being thus defeated, this Truce serv'd rather to encourage than abate the Presumption of the *Welsh*.

[5] So soon as the Prince return'd from the *Welsh* Expedition, he went down into the Isle of *Sheppey*, and sending for the Barons of the Cinque Ports, he made them (tho' with some difficulty) to renew their Oath of Fealty to the King; however it signified little, for it being done out of fear, they broke it upon the first Opportunity.

[1] Presently after the Prince's Return to *London*, one of the first things he did, was to go to the *New-Temple*, and there entering the Treasury of the *Knights-Templars*, without their Consents he broke open the Locks of the Chests, and took away Ten thousand Pounds *Sterling*, belonging to several Noblemen and Merchants of the City; at which rash Action both the King and Queen, and the King of the *Romans* seem'd much offended; but the Prince, so soon as he had got the Money, carried it presently to *Windfor* Castle, where he staid with his Foreign Souldiers in Garison, till the War broke out, tho' very much to the discontent of the Earl of *Leycester* and the Barons of his Party: In the mean while the King and Queen, with *John Mansel*, and other their Counsellors, kept themselves close in the Tower of *London*.

[2] At *Whitsontide* a Great Council of the Nobility, headed by the Earl of *Leicester*, was held at *London*, (as it seems without the King's Summons) where they openly declar'd against the King and Prince, as guilty of Perjury, in thus receding from the Provisions of *Oxford*; and having then a great many of the Younger Noblemen of their Party, they summon'd the rest to come in to them, threatening to treat all those as Enemies who refused; so that most of the Barons now joined with them, some out of an honest Design, some out of fear for their Persons and Estates, and others out of hopes of Gain by fishing in these troubled Waters.

[3] These being thus assembled, made up a great Army, under the Command of *Simon Montfort* Earl of *Leicester*, as their General, and declared for the late *Oxford*-Provisions. And farther (according to the City Annals) they sent the King a Letter or Declaration, (seal'd by the Lord *Roger Clifford* in the Name of the rest) in which they first petition'd his Majesty to observe the Provisions of *Oxford*, and defied all those that oppos'd them, (the King, Queen, and their Children excepted) [4] after which, about the end of *June*, they proceeded to Acts of open Hostility, falling upon all Strangers (towards whom the said King and Prince had shewn too much Favour) as also on the King's Counsellors, and all those that adhered to him; and plundered their Houses, and destroyed their Estates, without any Mercy or distinction of Persons; [5] but the Storm fell most severely upon *John Mansel* and *Robert Walerand*, as those whom

Ann. Dom.
MOCKM.

He makes a
Truce with
that Prince.

1011. 1012. A
1013. 1014. B

[5] A. S. A.
The Prince
goes down
to the Isle of

Sheppey and
makes the Bar-
ons of the Cin-
que Ports re-
new their

Oath of Feal-
ty to his Ma-
jesty.

[1] M. W.
The Prince
breaks open
the Treasury

of the *Knights-
Templers*, and
there seizes

10000 lb. be-
longing to di-
vers Persons,

and carries it
away to *Wind-
for* Castle.

[2] T. W.
A great Coun-
cil of the No-
bility met at

London, where
they accuse
the King and

Prince of Per-
jury, and sum-
mon all the

rest of the
Barons to ap-
pear.

[3] Id. ib.
Who being as-
sembled, form
themselves in-

to an Army,
and declare
for the *Oxford*

Provisions.
They send
the King a

Declaration.
[4] M. W.
Annal. de A-

bingdon, MS.
in *Canab.*
They plunder

all Strangers.
[5] A. S. A.
On whom the

Storm falls
whom most severely.

Anno Dom.
MCCCLXIII.

who they thought had chiefly advised the King not to come to an Agreement with them; and they had likewise the greater Spleen against *Simon de Walton*, Bishop of *Norwich*, and *John Mansel*, because they had, by the Pope's Command, publish'd his Bull of King *Henry's* Absolution from his Oath to observe the *Provisions of Oxford*, and had declar'd all that resisted him *Excommunicated*.

[1] *M. W.*
A great Per-
secution of
Strangers,
whereupon
John Mansel
quits the
Kingdom.

Henry Son to
the K. of the
Romans going
over to seize
him, is made
a Prisoner at
Bologne.

[2] *Id. ib.*
T. W.

Some of the
most active
Barons march-
ed to *Here-*
ford, and there
made the Bp.
Prisoner, be-
cause he was
a Foreigner.

[3] *M. W.*
They march-
ed also to
Gloucester, and
took the Castle
and carri'd the
Sheriff away
Prisoner.

[4] *Id. ib.*
A. S. A.

Bristol is also
surrend'ed,
but the Castle
holds out.

The Prince
takes several
Castles in
Wales.

[5] *T. W.*

The Barons
write a Letter
to the City, to
know whether
they would
stand to the
Provisions of
Oxford.

[1] And indeed it now went very ill with the Foreigners, for who ever could not speak *English* were very roughly treated by the common People; so that many for fear of Death or Imprisonment left the Kingdom, as did *John Mansel*, the King's Chief Minister, who thought it his safest way to get over beyond Sea, and leave all his rich Benefices behind him; but *Henry*, Son to the King of the *Romans* persuing him, out of an eager desire to seize him, he himself was taken Prisoner at *Bologne*, by the Queen's Procurement; and being brought back was here committed to safe Custody.

[2] In the mean time, *Roger de Clifford*, and *Roger Leyburn*, with others of the most active Barons marched up and down the adjacent Countries, seizing the Goods, and spoiling the Estates of those that declared against the *Oxford-Provisions*, and marched down to *Hereford* with a strong Army, where they took *Peter Egue-blank*, Bishop of that See, Prisoner, [3] because he was a *Burgundian*, together with those Chanons of the Church that were his Countrey-men, whom he had brought into it, and carried them all Prisoners to *Eardesly* Castle, plundering them of all their Money and Goods: after this the Army marched to *Gloucester*, where they took the outward Castle after five Day's Siege; but not being able presently to possess themselves of the main Tower into which *Matthias de Beville*, the Governour (then Sheriff of *Gloucester-shire*) had retreated, they at last broke open the Iron Door of that Place, and taking him Prisoner carried him away (because he was a Stranger) to keep the Bishop company: From thence they march'd back, and took *Worcester*, and then went to *Bridge-North* (a Town of the King's) but tho' it held out at first, yet it was surrend'ed the next Day upon Articles, lest the *Welsh-men* (a great number of whom likewise besieged the Town) should enter it by force.

[4] Some time after they had likewise the Town of *Bristol* surrend'ed to them by the Citizens, tho' the Castle still held out for the King: then these Barons return'd back towards *Windsor*, which Castle was still kept by Prince *Edward's* Men; but in the mean while the Prince, and the Noble-men of the King's side, that were then in the Marches of *Wales*, took the Castle of *Haye*, *Brecknock*, and other Places. [5] Thus on both sides they wasted, burnt, and destroyed each other's Houses and Estates, whilst the Barons, and the Earl of *Leicester*, did what they pleased about *London*, by reason that the greatest part of the Men of Estates came in to them.

But after these Military, we shall now give you some Civil Transactions, not to be found among our printed Authors, but in the City-Annals already cited, which tell us, that about Midsummer, the Barons sent a Letter to the City of *London*, under the Seal of the Earl of *Leicester* their General, to know from the Citizens, whither they would hold firm to the late Statutes or Provisions of *Oxford*,

Oxford, which they supposed to be for the Honour of God, and the Good of the King and Kingdom, or whither they would adhere to those that broke them.

[1] Upon the receipt of these Letters, the chief Citizens carried them to the King, being then in the *Tower* with his Counsellors, and plainly told them, that the Community of the City were obliged by Oath to observe those Statutes, which they thought tended to his Benefit, and that of the whole Realm; and therefore hoped he would not take it ill, if for the future they should not permit any Foreign Knights, or other Strangers, to continue or lodge within the City: then some of the principal Citizens were sent to the Earl of *Leicester*, and the Barons, lying then at *Dover*, to assure them that they would stand to the former Engagements they had made, saving their Allegiance to the King.

[2] About the same time, the Barons, that they might not seem deficient in their Duty to the King, sent him an humble Petition in Writing, wherein they desired, that the abovemention'd Statutes, or Provisions, might be observed, since they had been confirmed by his own Oath, and that of the Great Men of the Kingdom; yet however, if it could be made appear, to the Judgment and Consideration of worthy and honest Persons, that any thing in them was prejudicial to the King and Kingdom, those things should be annul'd; or if they were obscure, explain'd, so that what was good and profitable might be preserv'd and maintain'd; they further desir'd, that for the future the Kingdom should be govern'd by the Native Subjects thereof, as was practiced in all other Kingdoms.

This Petition, tho' it seem'd very modest and reasonable, I do not find the King would then agree to, [3] but keeping still close in the *Tower*, expected the Prince, his Son, to come and relieve him; [4] to prevent which the Earl of *Leicester* drew up a powerful Army near *London*, and lay encamped with it in the Park at *Thistleworth*; [5] having before he left *Ken*, engaged the *Cinque-Ports* to revolt from the King, and take an Oath to live and die with the Barons.

[1] But the King now finding himself disappointed in his hopes of Relief, and seeing he was on every side surrounded with Enemies, and fearing the Success, thought it his best way to agree to all the Proposals of the Barons, and once more promised to observe the Provisions of *Oxford*; [2] whereupon the Barons of both Parties being now outwardly reconciled, receiv'd each other with mutual Embraces; after which, the King adventur'd to trust himself out of the *Tower*, and go to his Palace at *Westminster*; so that there was now a temporary Agreement clap'd up, that lasted for a while, which is also confirm'd from the City Annals (already mention'd) relating, that on the Morrow after the Feast of *St. Margaret* (that is, on the 21st of *July*) the King's Writ or Letter to the Mayor and Citizens of *London*, was read in the *Guild-Hall*, setting forth, 'That the Difference between the King and the Barons was now made up; and therefore he Commanded, that his Peace should be kept; and if any one broke it, he should be arrested, and his Goods also seiz'd and kept safe till the King's further Order concerning them should be known.'

Anno Dom.
MCCCLXIII.

[1] *Id. ib.*
The Citizens carry the Letter to the K. and let him know, that they were resolv'd to observe the *Oxford-Provis.*

[2] *Id. ib.*
The Barons send the King an humble and modest Petition.

[3] *M. W.*
The K. keeps close in the *Tower*.

[4] *T. W.*
The Earl of *Leicester* draws up his Army near *London*.

[5] *A. S. A.*

[1] *T. W. M. W.*

[2] *J. G.*

Anno Dom.
MCCLXIII.

[3] Sub hoc
Anno.

But as for the chief Articles of this Agreement, they are in [3] *Matt. Westminster*, and *William Rishanger* (tho' falsely enter'd by this last Author under the next Year) being to this effect:

First, 'That *Henry*, Son to the King of the *Romans* (who was then kept Prisoner in *France*) should be released. *Secondly*, 'That the King's Castles should be put into the hands of the Barons. *Thirdly*, 'That the *Statutes* or Provisions of *Oxford* should be again inviolably observed. *Fourthly*, 'That all should be banish'd the Realm by a certain Time, except such as should be allowed of by the unanimous consent of the King's Loyal Subjects; and that only Natives of the Kingdom, being such as were faithful and diligent, should be admitted to transact the Publick Affairs thereof.

But the Terms of this Peace were too strict to be observed, either by the King, or Prince *Edward* his Son, longer than till they could find an opportunity to break them; as you will see anon.

But I have no more to observe concerning the making of this Peace, only that it was for the present concluded, notwithstanding all the Queen's endeavours to the contrary, which tho' done out of her great Zeal, for the King her Husband's Interest and Prerogative, yet our [4] Authors make it rather to proceed from a Feminine Malice, and that for this, the ordinary Citizens of *London* were so incensed against her, that as she was some time after in her Passage from the *Tower* (where she till then kept her self) to *Windsor* by Water, just going to shoot the Bridge, she was from thence set upon, not only by foul and vile Reproaches, but also with Dirt and Stones, with which she being much affright'ned, was forc'd to return back to the *Tower*. This Story, tho' it seems of small Moment, yet will serve to inform the Reader, why the Prince her Son was afterwards so eager in the pursuit of the *Londoners* at the Battel of *Lewes*, which happen'd to their Prejudice, as well as the loss of the Victory to the King his Father, as you will find hereafter. But to return to our History.

As this Peace was suddenly made, so it was as suddenly broken, and that on this occasion. The Earl of *Leicester* being gone toward the Sea-Coast, in order to set *Henry*, Son to the King of the *Romans*, at liberty, in the mean while the Garrison of Foreigners in *Windsor-Castle* laid hold on this opportunity to Sally out and plunder the adjacent Countrey of their Provisions, whilst Prince *Edward*, their Lord, was march'd with some other Forces to the Castle of *Bristol*, which was still in his Custody, where having continued some Days, there arose such a Quarrel between the Prince's Soldiers, and the Townsmen, as could by no means be compos'd, so that they wholly withdrawing themselves from his Obedience, were about to besiege the Castle.

Prince Edw.
marches to
Bristol, where,
upon a Quar-
rel between
his Soldiers
and the
Townsmen,
he is by them
besieged.

[5] *Id. ib.*

And is set
free by the
Bp. of *Worcester*.
the Prince
making him
believe, that
he would join
with the Ba-
rons.

[5] But the Prince finding himself in a streight, and that the greatest part of *England* was now set against Strangers, he had no ways to secure himself from being taken, but by sending for *Walter* Bishop of *Worcester* (who then joyn'd with the Barons) and making him believe, that he would conclude a firm Peace with them, and wholly be guided by his Advice; he thereupon so far prevail'd with

with the Citizens, that they let the Prince go away free: But he provid' too cunning for the Bishop and them too; for tho' he pretended to go along with him to Court, in order to perswade his Father to agree to what he had promised; yet so soon as he came near the Castle of *Windsor*, he left the Bishop, and clapping Spurs to his Horse rode directly thither, to the Bishop's great disappointment, who resented it very highly to be thus over-reach'd. And when he had inform'd the Earl of *Leicester*, and the Barons of it, they gathered what Forces together they could, and about the beginning of *August* march'd towards the Castle, in order to besiege it: But when the Prince receiv'd intelligence of it, he went out of the Castle, as far as *Kingston*, to meet the Earl of *Leicester*, and offer him a Treaty of Peace; but they not coming to any Agreement, the Earl, by the Advice of the Bishop of *Worcester*, seiz'd upon the Prince's Person, and would not let him return again into the Castle, so that he was forc'd to make the best Terms he could for himself, and to order those Strangers that kept it, to surrender it upon Condition, that they might all have liberty to march out with their Horses and Arms, and leave the Realm, as they immediately did, being guarded to the Sea-side by some of the Barons.

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MCCCLXIII.

But as soon as he came to *Windsor*, he clapt himself into the Castle.

Whereupon the Earl of *Leicester* resolves to besiege it.

The Prince going out to parly, is seiz'd by the Earl of *Leicester*, and forc'd to surrender the Castle to the Barons.

[1] Upon this ill Success, the King being now destitute of all Assistance, together with the Prince his Son, were necessitated at present to be outwardly reconcil'd to the Earl of *Leicester*, and the Barons of his Party: [2] whereupon the Lord *Hugh le Despenser* was again made Justiciary of *England*, in the room of the Lord *Philip Basset*; and the Earl of *Leicester* was made High Steward of *England*; and Sir *Roger de Leyburne*, who had been looked upon as one of the King's greatest Enemies, was likewise made Steward of his Household.

[1] M. W. T. W. The K. now destitute of Assistance is fain once more to be reconcil'd to the Barons.

[2] A. S. A. And several new great Officers are thereupon made.

[3] Then to perfect this Agreement, about the beginning of *September*, there was a great Council or Parliament assembled, and that so numerous, as the like had not been known for a long time before; at which the *Provisions of Oxford* were appointed to be publicly proclaim'd, and inviolably observ'd through the whole Kingdom; yet to do somewhat in favour of the opposite Party, *Peter*, Bishop of *Hereford*, and *Matthias de Bezele*, and those that were imprison'd with them, were all set free, and the Spoils and Depredations which had been committed upon the Goods of Ecclesiasticks, and such Noblemen as took part with the King (about which there had been so much Discord) were ordain'd to be made good.

[3] M. W. Another Parliament call'd, in which the Provisions of *Oxf.* are again establish'd.

The Bishop of *Hereford*, with others are set at liberty.

[4] Thus all Differences being seemingly hushed up for a time, the King found so much leisure, that He, with his Queen, about *Michaelmas* went over into *France*, to confer with King *Lewis*, who then held a Great Council at *Bologne*, in order to make up and compose all the Differences between the King and the Barons; for it seems there remained some Things still to be adjusted.

[4] M. W. T. W. A. S. A.

All Differences being again composed, the King and Queen go over to a Parliament in *France*.

But what the Event of this Assembly was, I can find in no other Author, but the Annals of St. *Augustine*, and another nameless Writer in the *Cottonian* Library; and they both relate, that the Earl of *Leicester*, and divers Barons of his Party, went also over thither, where they were met by *Boniface* Archbishop of *Canterbury*, and

Anno Dom.
MCC. XIII.

The Foreign-
ers complain
to the Fr. K. of
their Banish-
ment, but are
answered by
the E. of Lei-
cester, and the
Deputies of
the Barons.

Who not
complying
with some
Proposals, the
Assembly
broke up.

[5] Chron.
Will. de Nangis.
Paul. Æmyl.
in D. Lud. p.
52 b.

K. Lewis per-
suades the E.
of Leicester to
comply with
K. Henry, but
in vain.

The King re-
turns home,
but leaves the
Queen behind
him.

[1] T. W.

* NE. A. 3. 19.

p. 136.

The Archbi-
shop of Can-
terbury ex-
communi-
cates the two
Sons of the
Earl of Lei-
cester, with
several other
Noblemen,
and on what
occasion.

Another Par-
liament held
at Westm. but
would not
comply with
the King's fair
Proposals.

[3] G. R.

Another Par-
liament held
at Westm. but
would not
comply with
the King's fair
Proposals.

[3] G. R.

Another Par-
liament held
at Westm. but
would not
comply with
the King's fair
Proposals.

[3] G. R.

Another Par-
liament held
at Westm. but
would not
comply with
the King's fair
Proposals.

[3] G. R.

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the King's fair
Proposals.

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the King's fair
Proposals.

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[3] G. R.

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the King's fair
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[3] G. R.

Another Par-
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at Westm. but
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the King's fair
Proposals.

[3] G. R.

Another Par-
liament held
at Westm. but
would not
comply with
the King's fair
Proposals.

[3] G. R.

Another Par-
liament held
at Westm. but
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the King's fair
Proposals.

[3] G. R.

Another Par-
liament held
at Westm. but
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the King's fair
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[3] G. R.

Another Par-
liament held
at Westm. but
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[3] G. R.

Another Par-
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at Westm. but
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the King's fair
Proposals.

[3] G. R.

Another Par-
liament held
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comply with
the King's fair
Proposals.

[3] G. R.

Another Par-
liament held
at Westm. but
would not
comply with
the King's fair
Proposals.

[3] G. R.

those Foreigners that had been before banished *England*, who com-
plain'd of it to the *French King*, as a great piece of Injustice and Ty-
ranny, and therefore desired leave to return home; to which Demand
the Earl of *Leicester*, and the rest of the Deputies, who went over on
behalf of their Party, replied, *That they were not obliged to give*
any Account of what had been done in England in the Court of the King
of France, but only in that of their own Prince, and that only by Judg-
ment of their Peers: Inasmuch that the Barons of *England* not com-
plying with any of those Things that were proposed to them on the
King's behalf, the Assembly broke up.

[5] But the *French Historians* give it us thus, That *Simon Montfort*
being summon'd by King *Lewis* to come to this Council, he ear-
nestly entreated him to comply with his King's Desires, and not to
press him too far, lest whilst he set himself up for a Patron of the
Laws, he raised an inveterate Civil War, in which he might both
ruine himself, as well as the Publick; but this Earl pretending the
Defence of the Laws, which he was bound by Oath to observe,
would by no means hearken to King *Lewis* his reasonable Request;
who finding he could by no means be prevail'd upon, dismiss'd him:
Whereupon the Earl of *Leicester* and his Associates returned presently
home, nor did the King stay long behind them; but leaving the
Queen (who did not care to come back into *England* in such trouble-
some Times) with her Sister the Queen of *France*, [1] he return'd into
England presently after *Michaelmas*, to keep the Feast of St. *Edward*
the Confessor, to whom he always paid a singular Devotion.

And that we may here intermix some Ecclesiastical Affairs, to this
time also may be referred what is found at the end of certain Manu-
script Annals of the Abbey of *Hildesheim* in the * *Bodleian Library*, viz. that
Boniface Archbishop of *Canterbury*, being then at *Bologne*, did at this
time issue out an *Excommunication* against *Henry* and *Simon*, Sons to
the Earl of *Leicester*, *Humphrey de Bobun* Son to the Earl of *Here-*
ford, and divers other Barons that joined with Earl *Simon*, for laying
violent Hands on Prelates and Churchmen, and spoiling and rob-
bing of Churches, notwithstanding their Privileges; yet I do not
find, that the Earl of *Leicester* himself is mention'd in this *Excommu-*
nication; for he was too politick at that time to do any such thing
himself.

[2] But the King having now celebrated the Feast of St. *Edward*,
he forthwith held another Parliament at *Westminster*, wherein he en-
deavoured, by offering the Barons very fair Conditions, to have
settled a good Understanding between himself and them; but these
Hopes were blasted, by reason of the Obstinacy of the Earl of *Lei-*
cester, who relying on the Number of his Adherents, wholly refused
the King's reasonable Proposals; so that the Parliament broke up
without coming to any Conclusion; of which ill Fortune Prince
Edward made this Advantage, that thereupon, by fair Promises and
Persuasions, he drew off from *Simon Montfort's* Faction the Earl
Mareschall, [3] *Henry* Son to the King of the *Romans*, the Lord
John Basset, and divers other Noblemen, with all the Barons of the
Marches, who were unanimously resolved to curb the Insolence of
the Earl of *Leicester*.

[4] The

[4] The King now finding his Party much stronger than it was, having held a private Council with his Brother the King of the Romans, Prince Edward, and the rest of those Noblemen above-mention'd, they all concluded, that it was the safest course for the King to force the rest of the Barons to a compliance, by surprising what Castles he could, that were still in the Custody of the opposite Faction, which was thus put in execution: Prince Edward, under pretence of visiting his Wife, presently enter'd and surpriz'd the Castle of *Windsor*, turning out the Garison put in by the Barons; and the Morning following the King himself, together with his Family, privately withdrew from *Westminster*, and went to the same place, and was immediately follow'd by the * Lord Henry, Son to the King of the Romans; John, Earl of *Warren and Surrey*, and such of the Barons who had before secretly deserted the Earl of *Leicester's* Party, who notwithstanding kept himself close in the City of *London*, whilst in the mean time the King, attended by his Son Prince Edward, and the King of the Romans, with a good strength of Horse and Foot which they had now rais'd, march'd down to *Dover*, to reduce that Castle into the King's Power; but those that were within, and kept it for the Barons, would not deliver it upon the King's Summons; and the Besiegers finding it too strong to be taken by Force, were, to their Shame, oblig'd to march off and leave it.

Anno Dom.
MCCLXIII.

[4] T. W. id.
The King and his Brother, with the rest of the Noblemen of that Party, resolv'd to force the Barons to a Compliance.

[5] Annal. de London.
M. W.

And all march'd down to take *Dover*; but they are forced to retire re infell'd.

The Annals of St. *Augustine* farther add, that the Cause of the King's being denied Entrance into the Castle, was, from a Letter written by the Earl of *Leicester* to the Constable or Deputy-Governour, under the Lord *Richard Grey*, advising him not to give the King himself entrance, unless he would be content to come with only Nine or Ten in his Retinue, which he refused to accept, as that which would be of no advantage to him.

[1] The King being thus frustrated in his main Design, yet that [1] *Id. id.* he might not return without doing something worth his Journey, took a Circuit round about the *Cinque-Ports*, and then summoning their Barons before him, made them renew their Oath of Fidelity to himself; after which he went towards *London*, about the beginning of *December*: But when the Citizens, who were headed by the Earl of *Leicester*, and *Thomas Fitz-Richard*, heard of his coming, they peremptorily denied the King and the Prince his Son entrance into the City, tho' most of the elder and wiser Sort did all they could to oppose it.

The K. goes to the *Cinque-Ports*, and makes them renew their Oath of Fidelity to himself, and then returns to *London*, where he is denied Admittance by the Citizens.

[2] In the mean while the Earl of *Leicester* had rais'd a great Army to relieve *Dover-Castle*, if the King had actually besieged it, but now he lay encamped about *Southwark*, to hinder his coming to *London*; whereupon Prince Edward, lying at the same time with his Forces about *Merton*, march'd towards the Borough of *Southwark*, and joining his own Forces to his Father's, had like to have surpriz'd the Earl of *Leicester* (who was then inferiour to the King in Number;) [3] for some of the Chief Citizens, being secretly of the King's Party, had, unknown to the rest, shut up the Gates of the Bridge, and taken away the Keys, so that the Earl could not retire into the City, nor could the Citizens march out to his Assistance: The chief Contriver of this Design was one *John de Gisors* (a Nor-man by Birth:) But the Common Citizens hearing of the Earl's

[2] T. W. M. W.
The E. of Leicester with an Army lies about *Southwark*, to hinder the King's coming to *London*. And is like to be surpriz'd by P. Edward, through the Treachery of some Citizens.

Anno Dom. MCCLXIII. Danger, broke open the Gates and Chains, and presently got out to his Relief, upon whose Arrival the Earl commanded his Men to their Arms; and to put white Crosses on their Breasts, and then he marched out with them into the Fields near *Lambeth*: but so soon as the King, and the Prince his Son, had notice of it, they retir'd, and so both Parties went back to their former Quarters; upon which a Truce was agreed on for Eight Days, but it continu'd on till

[4] T. W. *Christmass.* [4] During this Interval, there were frequent Treaties of Peace carried on by some of the Bishops, and divers other moderate Persons, who foresaw the Ruine and Mischief that this Civil War would bring upon the whole Kingdom; so that at last the King, with his Brother King *Richard*, Prince *Edward*, and the rest of the Earls and Barons who espoused the Royal Interest; as likewise on the other side, the Earl of *Leicester*, and all the Barons of his Party, did by an unanimous Consent, agree to refer all their Differences about the Provisions of *Oxford*, as also concerning the other Matters in dispute, to the Arbitration of *Lewis* King of *France*.

All Degrees and Orders of Men on both sides agree to it, and swear to observe it. But whither the King and the Earl's Party ever met in one Assembly or Council, about this great Affair, our Authors do not expressly tell us, only *Thomas Wikes* reckons up all Degrees and Orders of Men, of the whole Clergy and Laity, who agreed to the said Arbitration, and confirm'd it by an Oath, as also by mutual Charters under the Seals of the King, and the Prince his Son, on the one Part, and the Earl of *Leicester* and the Barons on the other, provided the King of *France* gave his Sentence in this Matter, before the Feast of *Pentecost* following.

See the Copy of the King's in Dr. B.'s Ap. N. 206. from the Par. Roll. 48. H. 3. M. 18. N. 75. where is also that from the Barons. [5] Then Prince *Edward*, with the Lord *Henry*, Son to the King of the *Romans*, and some other Lords, went beyond Sea on the Sunday before *Christmass*; the occasion of their going over was, to meet the King of *France*, who then held an Assembly of the Estates at *Amiens*, on purpose, that he might, by their Mediation and Advice, make a Reconciliation between King *Henry* and the Barons; but most of them, together with the Earl of *Leicester*, pretended they were not able to appear there in Person, by reason of the War that *Roger de Mortimer*, and his Adherents, then made against the Earl of *Leicester* in *Wales*: However the Barons sent over the Lord *Peter Montfort*, and Mr. *Thomas de Cantelupe*, (to whom *Wikes* adds, the Lords *Adam* of *Newmarket* and *William Blund*) as their Deputies, to the Assembly of Estates above-mention'd; whither also came Queen *Eleanor* to meet the King her Husband; as also did the Archbishop of *Canterbury*, and all the exil'd Foreigners, in hopes of being restor'd.

The Earl of Leicester, and most of the Barons decline going over, and the reason of it. Yet send their Deputies to appear for them at the Parliament of *France*. *Anno Dom. MCCLXIV.* [1] But the King resolving to keep his *Christmass* in *England*, did not go over thither till about the 28th or 29th of *December*, and as soon as he Landed, he made all the speed he could to meet King *Lewis* at *Amiens*, who having accepted the Arbitration, after a full hearing of whatever could be said on both sides in that Great Assembly of his Bishops and Nobility, gave Sentence, tho' perhaps too hastily (as our Author says) in favour of his Brother the King of *England*, against the Earl of *Leicester*, and the Barons of his Party, and

and by declaring the Provisions of *Oxford* to be null and void, restor'd the King to his antient Power; adjudging further, that the King might nominate his Justiciary, Chancellor, Treasurer, and other Officers of the Kingdom, as he pleased himself; and that Foreigners were as capable of Offices and Dignities in *England* as the Natives.

Anno Dom.
MCCLXIV.

* This Award or Arbitrement of the King of *France* (which I have given you at large at the end of this Volume, from Father *Dacherie's* * *Specilegium*) bears date the 3^d Day of *Febr.* A. D. 1263. The *French* not beginning their Year till our *Lady-Day*, in which they are there also follow'd by most of our own Writers, who then begin the Year according to the Ecclesiastical Account, which about this time took place; whereas according to that observ'd by *Matt. Paris*, and all our former *English* Historians, the Year was to have begun on *Christmass-Day*, as I my self have also here plac'd it; so that according to our Account, this Assembly of Estates was held, and King *Lewis's* Award above-mention'd was Sign'd A. D. 1264. The not observing of which difference in Accounts, hath led *Speed*, and all our modern Historians, into a great Mistake in point of Time; so that *Dr. Brady* himself, blindly following *William of Rishanger*, has plac'd all this transaction after *Christmass*, in the Year 1263. whereas if he would but have consulted *Matt. of Westminster*, or any other Author of that time, he would have there found, that they place this great Affair not in the beginning, but latter end of this Year, reckoning as we do now from our *Lady-Day*.

* Vid. Append.
N. II.

* Vol. 18.
Edit. Paris.

[2] But *W. Rishanger*, above-mention'd, is wholly inexcusable, who tho' he begins the Year at *Christmass*, yet places those Actions at the beginning of the former Year, which did not happen (according to his own Account) till this; and that which is yet more preposterous, he places all those Actions under this present Year, as done after the King of *France's* late Sentence or Award, which indeed happen'd the Year before it; and that they did fall out in the last Year, and not under this (as he falsely places them) is prov'd by a great Eclipse of the Sun, which fell out on the *Nones* or 5th of *August*, about Three of the Clock, as *Matt. Westminster*, and several of our Manuscript Chroniclers agree.

[2] *Matt. Paris*
p. 992.

But it must be confess'd, that the Transactions of these two or three last Years are Register'd very confusedly by our Printed Historians, who Writing long after these things were done, and not well attending to the time in which the Actions they set down were perform'd, have fallen into great Mistakes in the Account of the Time, when they were done; which I have, by the help of the Manuscript Annals, belonging to the City of *London*, as also those of the Abbey of *St. Augustine* above cited, I hope sufficiently rectified; but it is time to return to our History, from whence we have too much digressed.

[3] *M.W.T.W.*

It is not to be doubted, but King *Henry* receiv'd this Award of the King of *France* (being so highly for his Advantage) with much Joy and Satisfaction, as it gave the Deputies of the Barons no less Grief and Indignation: But they saying little while they were in *France*, immediately return'd back into *England*, and communicating what had been done to the Earl of *Leicester*, and the rest of the Barons who had sent them, they found no other way to evade the King of

The Barons being highly displeased at this Award return'd to *Engl.* and consulting with the E. of *Leicest.* resolve not to submit to it, and on what pretence.

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of France's Sentence, than by laying hold of one considerable Article of it, wherein it was declar'd, *That he did not intend thereby to abrogate the antient Liberties granted by King John's and the present King's Charters*, of which Clause, the Earl of Leicester, and those of his Party taking advantage, would not stand to the King's Arbitrement, alledging, that it contradicted it self; and that the Oxford-Provisions, and all things that had been acted by vertue thereof, was only in perfuance and corroboration of the said Charters.

[4] T. W.
This Sentence of the King of France makes the Barons begin the War afresh, and seize the City of London.

[4] Thus this Sentence of the King of France was so far from procuring Peace (as was intended) that it rather made the War break out more fiercely than before; for no sooner did the Deputies of the Barons arrive in England, but they began to renew the War afresh, seizing again upon the City of London, and sallying out from thence, spoil'd and plunder'd the Goods of their Enemies in the adjacent Countries, as you will hear further anon.

[5] A. S. A. T. W.
Prince Edw. arriving in England, and hearing his Friends were like to be worsted towards Wales, marched down thither to assist them.

[5] Prince Edward, with his Cousin Henry, Son to the King of the Romans, arriving in England about the end of February, from the late Assembly in France, and hearing, that notwithstanding Sir Roger de Mortimer, Sir Robert de Clifford, and Sir Thomas Corbet, with divers other Barons of the King's Party, still prosecuted the War against the Earl of Leicester, and his Sons in the Marches of Wales, with a sufficient vigour, yet that by Prince Llewellyn's joining his Forces with those of the Earl of Leicester's Sons, they had destroyed the Estates of the Lord Mortimer, and other Lords Marchers, and burnt the Castle of Radnor, so that the King's Friends in those Parts were like to be worsted; therefore to put a stop to this, Prince Edward resolved to go with all speed to their Assistance, and raising what Forces he was able in so short a time, he march'd from Dover, quite cross the Countrey, as far as Hereford; but there receiving Intelligence that the Earl of Leicester's Sons were coming against him with a powerful Army of English and Welsh, and being apprehensive that he should not be strong enough to encounter them, he fortify'd himself as strongly as he could in the Castle of that Town.

But hearing of the approach of the E. of Leicester's Sons he fortifies himself in Hereford.

[1] Id. ib.

K. Henry sends Messengers into England to demand admittance into Dover-Ca. but is refus'd.

The K. Lands in England again demands the Castle, but being deny'd it, goes to Canterbury.

He goes in the beginning of Lent to Ox. * Pat. 48. H. 3. M. 16. Vid. Dr. B.'s Ap. N. 207.

[1] In the mean time, as soon as the King his Father could receive the King of France's Award drawn up into Form, he made no delay, but taking leave of that Prince in the beginning of February, he went to Whitfand, and there staying some time, in order to go for England, he thought fit, before he took Shipping to send over Messengers to Dover to demand admittance into that Castle, in obedience to the French King's late Sentence; but they could receive no other Answer from those that kept it, than that they could not do it without the consent of Sir Richard de Grey, their Constable; however the King resolved to pass over thither himself, and being safely arriv'd, was there honourably receiv'd in the Priory, and from thence He again sent to demand the delivery of the Castle into his hands; but being still deny'd it, he went forthwith to Canterbury, and spent there some Days; but to what Place he went from thence is not certain, our Authors being silent in it; only we find from *Tho. Wikes's Chronicle*, that he was in the beginning of Lent at Oxford, (which fell out then about the first Week in March) and that he continu'd there till the end of that Month, as we find by a * Commission still upon Record (tho' not mention'd by any of our Historians

rians) by which it appears, that the King had not been long there, before He began a Treaty of Peace with the Barons, and to that end empower'd the Bishop of *Coventry*, and *Nicholas*, Arch-Deacon of *Norfolk*, to treat on his behalf at *Brackley*, with *Simon* Earl of *Leicester*, and the rest of the Barons, in the presence of *John de Valenciennes*, Envoy from the King of *France*, who was (as I suppose) come over as a Mediator between them, and to endeavour to make a Peace, but whither they ever met or not, I do not find. But one of the first things I perceive the King did, after he came to *Oxford* was, (as the Manuscript * *Annals of the Abbey* relate) that he then summon'd all his Military Tenants to attend him there with Horse and Arms to march against his Enemies.

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Where he grants a Commission to treat of Peace with the Barons.

*MS. in Bib.
Pub. Cantab.

[2] Prince *Edward* having done all he could for the King's Interest in the Borders of *Wales*, (tho' without any great Success) left *Hereford*, and plundering and destroying the Houses and Estates of the Barons in his March, came to his Father at *Oxford*, who having sent away all the Scholars of that University, there was in *Mid-Lent*, held another great Council of the Barons and Gentlemen of his Party, who being inform'd, that a great part of the Barons then in Arms against the King, had possess'd themselves of the Town and Castle of *Northampton*, they advis'd him to march thither against them, which he approving of, [3] on the 15th of *April* (being *Easter-Eve*) He set out from *Oxford*, for that Town, with a great Army, being attended by his Son Prince *Edward*, and his Brother King *Richard*, and many other Earls and Barons (for whose Names I refer you to my Author) most of whom had now come over to him from the Earl of *Leicester's* Party, of whose Actions it is time to give you some Account; for the Earl having stay'd all this while in *England*, expecting the Event of the King of *France's* Determination, and finding it wholly against his Interest, was resolv'd to make his best Advantage of these Disturbances, and having again possess'd himself of the City of *London* (as you have already heard) into which the Citizens had willingly admitted him, he did all he could to fix it to his Party, which was not at all difficult for him to bring about, the City being then so naturally dispos'd to it.

[2] T.W. M.W.
Prince Edw. returns to his Father at Oxford, where is held a Council of the Great Men, who advises the King to march to Northampton, against the Barons.

[3] G. R.

The Earl of Leicester strengthens himself in London.

And here I think it may not be impertinent, from the *Annals of the City* (already cited) to shew you by what means this was effected. *Thomas Fitz-Thomas* being chosen Mayor the last Year, was still kept in Office, as one highly for the Earl of *Leicester's* Faction; this Man, to flatter the Rabble or vulgar sort of Citizens (who then call'd themselves the Community of the City) permitted them to give their Votes in the first place, and if the major part of them cried out *Ta, Ta*, (which was then the same thing with our *Tea*) the thing (tho' never so violent and unreasonable) was presently put in execution; so that during these Commotions, little or nothing was done by the Aldermen and * Chief Men of the City; by which means the common People became so proud and headstrong, that they Canton'd themselves into divers particular Assemblies or Combinations, some of which consisted of a Thousand Men, who, under pretence of keeping the Peace, were the most notorious breakers of it, for their principal design being to enrich themselves, they plunder'd the Houses of whomsoever they had a Pique at, under pretence of their

* Call'd in the Annals, Magnatibus Civitatis.

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* i. e. Stout
young Fellows
who carried
Staves.
Vid. Gloss. to
Matt. Paris.

[4] T.W. G.R.
The Citizens
fortify the
City of Lond.

And then
marched out,
and burnt the
King of the
Roman's House
at Thistleworth.

[5] T.W. M.W.
The King be-
sieges Nor-
thampton.

And takes it
by an Assault;
many Barons
and Knights
being taken
Prisoners.

[1] T.W. Th.
Simon Mont-
fort the
younger is
taken Prison-
er by a very
odd Accident.

[2] Th.
The manner
of taking the
Town is some-
what differ-
ently related
by the Annals
of S. Augustine.

their being of the King's Party, (or *Malignants*, as they have been call'd in our Times) tho' indeed their Fury mainly fell upon the *Italian* Bankers call'd the *Caurfini* and the *Jews*: nor did this mad Faction prevail in *London* alone, but (as *Thomas Wikes* informs us) was also in other Cities and Towns in *England*, where the ungovernable Mob calling themselves by the name of * *Batchellors*, ran down and overpow'r'd the better sort of Citizens and Townsmen, much to the prejudice of the whole Community; and it was these sort of People that kept the King out of the City, when he would have last return'd thither; but to give you some account of their Exploits.

[4] The War being thus again renew'd, these Factious Citizens of *London* having new fortify'd their City, they presently seiz'd the King's Justices, and the Barons of the *Exchequer*; and then their next Expedition was in the beginning of *Lent*, when, under the Conduct of *Henry d'Espencer* (whom the Barons had lately made Justiciary of *England*) and *Thomas Pynplesdon*, and *Stephen Buckerel* (the former of whom they call'd their Constable, and the latter their *Maréchal*) upon the Ringing of the Great Bell at *St. Paul's* they marched out early in the Morning, with Banners display'd as far as *Thistleworth*, where they burnt a most stately Mannor-House of the K. of the *Romans*, who had hitherto been a great Friend to the Community of the City, and then in their return they pulled down and destroyed a fair Summer-House of the King's in the Suburbs of *Westminster*; then afterwards they fell upon the *Jews*, and not only plunder'd, but cruelly Massacred above Five Hundred of them, sparing neither Age nor Sex, and more had then perish'd, had not the Justiciary and the Mayor interposed their Authority: so that whoever will compare the present Temper of the vulgar People of that City, when left to themselves, with what it was in that Age, may find, that tho' it is often violent and headstrong to do Mischief, yet are not the effects so cruel and fatal as they were in those Times.

[5] But to return to the King, whom we left in his March against *Northampton*, before which Place, so soon as He and the Barons that attended him arriv'd, they presently laid close Siege to it, and storming the Town, enter'd it by a Breach, that was made by undermining the Wall; where, after a great Slaughter of the Garrison in the Streets of the Town, there were taken Prisoners Fifteen Barons bearing Banners, and Sixty Knights, besides common Souldiers, whose number is not related; also *Peter Montfort*, Cousin to Earl *Simon*, who had retir'd into the Castle, finding it no longer Tenable against so great a Force, surrend' red it the next Day, together with himself; [1] but *Simon de Montfort*, second Son to the Earl of *Leicester*, before the Town was taken, was made a Prisoner, by a very strange Accident, which was this. He riding too near the Breach, his Horse being frighten'd at somewhat, ran headlong with him through the Ruines of the Wall, down into the Ditch, where his Rider hardly escap'd breaking his Neck, but he was taken up by the King's Souldiers, who now got great store of Spoil, sparing neither Churches nor Monasteries.

But the [2] Annals of *St. Augustine* relate the taking of this Place more particularly, and also differ in some Circumstances of it from other Writers; for after giving us the Names of the Barons that were within it, they tel us, that it was taken by the springing of a Mine, which

which made the Wall fall down, whilst there was a Treaty on foot for the Deliverance of the Town upon Terms; as also that *Simon Montfort* the younger was taken in the Town fighting Valiantly even to the last; and that he, with the rest of the Noblemen were sent Prisoners to *Windsor-Castle*.

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But I cannot here omit a very remarkable Passage related by [3] *Walter Hemingford*, concerning the Carriage of the *Oxford* Schollars at this Siege; who after their Banishment from thence, being now settled at *Northampton*, did the King's Men a great deal of Mischief during this Siege, wherefore at the taking of the Town, the King swore that he would hang them all; however, several of them made their escape by flight, and others stav'd their Heads like Friers; but at last all being over, the King commanded his Oath to be put in Execution upon those Schollars that were taken Prisoners; but his Courtiers interceding for them said, *It was by no means convenient to be done, for that they were the Sons of Great Noblemen and Gentlemen of his Kingdom; and if he should now cause them to be Executed, their Fathers and Relations would certainly rise against him as one Man;* whereupon the King pardon'd them all.

[3] Lib. 3.
Cap. 29.

The K. being very angry with the *Oxford* Schollars for their resisting him in the Siege, swears to hang them all, but is perswaded to the contrary by his Courtiers.

This I take notice of to let you see how strong and numerous a Body the Schollars of *Oxford* were in those Days, and what a great Interest they then had in the Kingdom. But to return to the History.

[4] The K. flush'd with this Victory presently march'd to *Leicester*, and took it, and from thence advanc'd to *Nottingham*, which Castle was held by *William Bardolph*, a Valiant Baron; yet he now thought it his safest way to surrender it to the King, upon the most advantageous Terms he could. Here the King, with his Noblemen kept his *Easter*, but receiving News, that the Earl of *Leicester*, with a great multitude of *Londoners* had, on the Passion-Week, besieg'd the Earl of *Warren* in the Castle of *Rocheſter*, he was resolv'd to raise the Siege and relieve it; so marching almost Night and Day, he arriv'd in five Days at *Rocheſter*, but the Earl of *Leicester* hearing of his approach, durst not stay to give him Battel, but went back to *London*, leaving only a few Souldiers behind, whom those of the Garrison, in a Sally they made, quickly destroy'd.

[4] M. W. T. W.
The King takes *Leicester*: *Nottingham*-Castle surrenders.

The King marching to relieve *Rocheſter*-Castle, the E. of *Leicester*, and the *Londoners* raise the Siege.

[5] Upon this good Success the King sent his Son Prince *Edward*, and great part of his Army into *Derby-shire*, where he wasted the Lands of *Robert de Ferrars*, Earl of *Derby*, and took his strong Castle of *Tutbury*, and razed it; so that where-ever the Prince marched, there appear'd nothing but Slaughter, Burning, and Desolation, no Peace nor Security being to be found in the whole Kingdom; but about the same time (in return) *John Gifford*, Governour of *Kennelworth*-Castle, for the Earl of *Leicester* surpriz'd *Warwick*, and demolish'd the Castle, lest the Royallists should again fix themselves in it.

[5] M. W.
The K. sends Prince *Edw.* into *Derby-sh.* who there wastes the Lands of Earl *Ferrars*, and takes *Tutbury*-Castle. *John Gifford* surprizes *Warwick*.

[1] In the mean while the King march'd with his whole Army directly towards *London*, but when the Citizens heard it, they went out to meet him with a great Body of Foot very well Armed; upon the News of which he declin'd Fighting, and march'd back into *Kent* to secure the Sea-Coasts, and prevail with the *Cinque-Ports* either by Fear or Perswasions, to send their Ships to block up the River *Thames*, and thereby hinder Provisions and other Commodities, from being carried up to *London* by Water; but this Advice, tho' it seem'd plau-

[1] T. W.
The K. goes towards *London*: But upon the Citizens marching out, he retreats back into *Kent*.

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He takes Ton-
bridge, and se-
cures the
Cinque-Ports,
yet is much
put to it in the
Wild of Kent.

sible, almost ruin'd the King's Affairs; for tho' he took the Castle of *Tonbridge* (and in it the Countess of *Gloucester*) and then went as far as *Pevensey* and *Winchelsea*, thereby securing the *Cinque-Ports* to his Interest; yet in his March thither, through the wild and hilly Parts of *Kent*, by reason of the streightness of those Passages, the King's Army were scarce able to get through them; the light-armed *Welshmen*, that belong'd to the Barons, taking this Advantage, did much damage to the King's Forces, tho' they were at last cut off by the Royal Party, who were better Arm'd, and against whom the *Welshmen's* Darts and Arrows signified little.

[2] *Id. ib.*
The K. comes
to Lewes in
Sussex.

* M. W.

The Earl of
Leicester, and
the Barons,
with the *Lon-*
doners, march
toward *Lewes*.

The Earl and
his Party be-
ing doubtful
of the Success,
write the King
a respectful
Letter.

[2] The King met with no Opposition in his return back, but came with his whole Army to *Lewes* in *Sussex*, and he took up his Quarters in the Priory, and his Son Prince *Edward* his in the Castle: * In the mean time, the Earl of *Leicester* having Assembled all the Barons of his Party, with a strong Body of *Londoners*, march'd down towards *Lewes*, and encamp'd at a Place call'd *Flexninge*, within Seven or Eight Miles of that Place; from whence the Earl, and those of his Party, either seemingly or else really desiring Peace, wrote to the King a very respectful Letter, professing still to observe their Oaths and Fidelity to Him, and desiring that He would not believe the Lies that those about him made of them, affirming, that they put themselves into Arms, not only against their own but his Enemies, and those of the whole Kingdom: this was Seal'd by the Earls of *Leicester* and *Gloucester*, at the request of the rest of their Faction.

[3] *Id. ib.*
To which the
King returns
a very rough
Answer, and
defies them.

To which the King return'd Answer, 'That not Himself, but they 'were indeed the cause of all the War, Destruction, Rapine, and 'Misery which had befallen the Nation; that their Intentions were 'not according to their Professions, nor their Actions agreeable to 'their Pretences, and therefore defied them. This Letter bears date at *Lewes* the 12th of May, 1264. In like manner, *Richard* King of the *Romans*, Prince *Edward*, and all the Barons and Knights that adhered to the King, charged them with Falshood, and defied them; and withal challenged them to stand to the Judgment of the King's Court, to which they themselves were ready to submit, and make their Innocence appear. The Letters bear date the same with the former.

[4] *Id. ib.*
They send cer-
tain Bishops
to mediate
for Peace, up-
on very reason-
able Offers,
which the K.
refuses, and
sends them a
defiance,
which is also
return'd him
by the Barons.

[4] Upon this the Barons being much weaker in Men, were afraid of the Success, and sent *Henry*, Bishop of *London*, and *Walter*, Bishop of *Worcester*, as their Mediators for Peace, to the King, and offer'd, in consideration of the Damages done by them through the Kingdom, no less than Thirty Thousand Pounds, yet so that the Statutes of *Oxford* might stand good: nevertheless, the King trusting in his Numbers, sent a fresh defiance to *S. Montfort* and his Accomplices, with which they being provok'd, at length defy'd him, and renounc'd the Fealty they ow'd him; so upon the 14 of May the Earl and his Army (having with great shew of Piety Confess'd themselves,) and put white Crosses on their Shoulders or Breasts) march'd before Day towards *Lewes*, with Banners display'd, [5] and came so near it, before the King's Forces were aware of them, that they had very near surpriz'd them in their Beds; but receiving the Alarm, they arm'd themselves, and march'd out into the open Field, with the King's chief Standard, which was then a Dragon. His Army being divided into three Bodies or Squadrons, the First of them was commanded by Prince *Edward*, together with *William*

[5] T. W.
The Barons
had like to
have surpriz'd
the K.'s Forces
in their Beds.

de Valence Earl of Pembroke (his Uncle,) John Earl of Warren and Surrey; the Second was led by Richard King of the Romans and his Son Henry; and the Third the King himself commanded in Person. [1] In the mean while Simon Montfort, with the Barons of his Party, perceiving the King's Forces drawing out of the Town, made a Halt upon the Hill above it, where they placed their Baggage, and beyond that the Chariot of Earl Simon, with his Banner display'd upon it, as if he had been sick, and so was forced to repose himself in it; but in stead of himself, the crafty Earl had therein cunningly shut up Four of the chief Citizens of London, whom, being against him, he durst not trust elsewhere in his absence, as refusing to bear Arms against the King; or, as *R. Wendover* relates, those who had been the Authors of having shut the City Gates against him, whom he now treated as Enemies; so that if this Chariot should be assaulted, or shot through with Arrows, they might be thereby destroyed [2]: [3] *Id. id.* then the Barons put their Army in Battel-array, dividing it into Four main Bodies, the First of which was commanded by the Earl of Hereford and Essex, with Henry de Montfort, Son to Earl Simon; the Second by Gilbert de Clare Earl of Gloucester, John Fitz-John, and William de Montcamis; the Third, in which were the Londoners, was commanded by a Baron called Nicholas de Seygrave; whilst Earl Simon himself, and Thomas de Pulyston, led the Fourth and Last Division. So soon as the Two Armies approached each other, the Battel began with great fury, and the Earl of Leicester, with the Body that was under him, as also that next to him, fell upon the Forces commanded by the King himself, and Richard King of the Romans; for the Earl judged very rightly, that if they were either routed or taken Prisoners, it was most likely the Victory would fall to the Barons. As [3] for the Noble Prince Edward, he with the Flower of his Army, set upon the Londoners, who tho' many in Number, yet being raw and undisciplin'd, ran away with Henry de Hastings at the Head of them; whom Prince Edward, out of Revenge for the affront they had done to the Queen his Mother at London-Bridge, fiercely persued, killing all he overtook, and making a miserable Slaughter of them for near Four Miles together; likewise the main Body of the Barons was broken, and John Gifford, one of their valiant Knights, was led Prisoner into the Castle of Lewes. But whilst Prince Edward thus persued the Londoners, his Anger carried him too far; for in the mean time, the Bodies commanded by the Earls of Leicester and Gloucester, having furiously assaulted those commanded by King Henry and his Brother King Richard, (which were only some Troops consisting of their Retinue and Domestick Guards) and they making but a slight Defence, were utterly routed, so that the Two Brothers being left almost alone in the Field, were forced, after a long and brave Resistance, to surrender themselves, the King to the Earl of Leicester, and King Richard to the Earl of Gloucester, who were presently secured in the Priory of Lewes; whereupon all the rest of their Men that had fled into the Town, laid down their Arms, and yielded themselves, as thinking it no shame to undergo the same Fortune with the King himself, and his Brother. Then the Earls and Barons entering the Town, took all Prisoners whom they found without the Cattle and Priory, which still held

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The King's Army divided into three Bodies.

[1] M. W. T. W.

Simon Montfort and the Barons of his Party make a Halt near the Town, and his Policy.

[2] *Id. id.*

They put their Army in Battel-array, in Four Bodies.

The Battel is begun, in which that Body led by King Henry and his Brother, is set upon by those commanded by Simon Montfort.

[3] M. W. T. W. Prince Edward puts the Londoners to flight, and persues them too far.

The main Body of the Barons is also routed.

The Forces commanded by the King and his Brother being routed, they are both taken Prisoners.

As are also the rest of their Men, who had fled into the Town.

Anno Domini out against them: But when Prince *Edward* and his Cousin *Henry*
MCCCLXIV. return'd from their Perseut, and found the Day thus lost, they
 were forc'd likewise to submit to the same Terms; besides whom,
 The Prince and his Cousin *Henry* being return'd from the Perseut of the
Londoners, are forc'd to surrender themselves Prisoners.
 The Number of the Slain on both Sides.

But when Prince *Edward* and his Cousin *Henry* return'd from their Perseut, and found the Day thus lost, they were forc'd likewise to submit to the same Terms; besides whom, there were also taken Prisoners, *Humphery de Bohun* Earl of *Hereford*, *John Fitz-Alan* Earl of *Arundel*, besides several other Earls and Barons, for whose Names I refer you to our Authors. There were slain on the King's Side of Men of Note, *William de Wilton* and *Fulk Fitz-Warren*; the former one of the King's Justices, and the other a Baron of Note; and on the Baron's Part, *Ralph Hertigande*, a Baron, and *William Bland*, Earl *Simon's* Standard-bearer, besides above Five thousand Common Souldiers kill'd on both Sides; but *William de Valence*, with *Guy de Lusignan* his Brother, the Earl of *Warren*, and *Hugh Bigot*, all fled out of the Battel as far as *Pevensey*, and thence pass'd over into *France*; where they remain'd with Queen *Eleanor*.

[4] *G. R.* [4] But the Continuator of *Matt. Paris* is more particular in this Relation, and says, that the Prince, upon his Return from the Perseut, finding his Father's Army routed and disperfed, but that the Castle of *Lewes* still made a vigorous Defence against the Barons, he took Courage, and rallied his Forces, with a Design to try the Fortune of another Battel; which *Montfort* and his Confederates perceiving, [5] the next day sent two *Friers Minors* as Messengers for Peace, promising by them reasonable Terms: So that the Night following a Peace between the Prince and the Barons was made up, tho' upon very hard Conditions, viz. That he and his Cousin *Henry* should yield themselves as Hostages for the observing of it, and for its farther Settlement, both Parties should refer themselves to the King of *France*, and procure him to chuse Three Prelates, and Three Noblemen of *France*, who should nominate Two *Frenchmen*, and they coming into *England*, should chuse a Third Person, an *Englistman*; which Three should determine all Controversies between the King and the Barons, and order all Things concerning the State of the Kingdom: And for the Performance of this Agreement, they were to take their Corporal Oaths on both Sides.

Yet the Annals of *London* give a different, and more probable Account of the Articles of this Peace: As First, That the Provisions of *Oxford* should be again observed; yet so, that if there were any thing in them that needed Amendment, it should be corrected by Four of the Great Men of *England*, either Bishops or Barons, to be chosen by the Community thereof: And if any Difference should arise between them, concerning those Amendments, they were to stand to the Arbitration of *Charles* Count of *Anjou*, Brother to the King of *France*, with four other Noblemen of that Kingdom, there named; and that in the mean while the Two young Princes above-mention'd should remain as Hostages in the Custody of the Barons, till all these Things should be settled; and for this end a Parliament was to be summoned at *Whitsontide* following. These Articles being put into an Instrument or Charter, was sealed with the King's Seal, and the Seals of all the rest of the Earls, and Chief Barons. This Agreement was called the * *Mise of Lewes*, tho' it was never put in Execution.

* Being an old French Word, signifying Agreement.

† *Id. ib.*

† The King being thus fallen into the Hands of the Earl of *Leicester* and the Barons, they carried him to *Canterbury*, using him with

all

all outward Honour and Respect, but sent King Richard with his Son Henry Prisoners to the Tower; but all the rest who were taken in the Battel, were ordered to be imprison'd in several Castles; and then they plundered and spoiled the Estates of all those that had adhered to the King, or at any time had served him, as well Clerks as Laicks.

[1] The King and the Prince his Son being thus in the Power of the Earl of Leicester, one of the first things he made him do, was, on the Day after the Battel, to issue a Proclamation, giving Licence to all those that had taken his Part, and were not made Prisoners, to go home; and at the same time he also wrote to those in the Castle of Tonbridge (which still held out for him) not to fall upon those Barons who were returning to their own Homes: But for all this, those in that Garison hearing that the Londoners, who had fled from the late Battel, had sheltered themselves in Croyden, they immediately marched thither, and falling upon them, killed a great many of them, and carried off a great deal of Plunder; from whence they marched away to Bristol, which Place they kept for the King till the Prince's Delivery, who for the present was sent to Wallingford-Castle, to be there kept safe; [2] but as for the King, the Earl carried him along with him, as it were on Progress (but rather in Triumph) about the Countrey, that he might by the Authority of his Presence take in all the Places that still held out in those Parts; and then coming to Battle-Abbey in Suffex, the King directed his Writ or Letter, bearing Date the Seventeenth of May, to Drogo de Barentin, Constable of the Castle of Windsor, to release Simon Montfort the Younger, who had been taken Prisoner at Northampton, and committed to his Custody by Prince Edward: In like manner he wrote to William de la Zouche, to deliver Peter Montfort the Younger; and to James Audley, to deliver Robert Montfort his Brother, (Sons of Peter Montfort.) Then, on the Twenty eighth of the same Month, Henry de Montfort, eldest Son to the Earl of Leicester, was made by the King's Commission Constable of Dover-Castle, and Warden of the Cinque-Ports, and had the Chamberlainship of Sandwich committed to him during Pleasure, as appears by the Original * Writ upon Record in the Tower.

Thus the Earl of Leicester having now the whole Kingdom at his disposal, not only set free all those who had taken his Part, but likewise bestowed all the Great Offices and Commands upon his own Creatures and Relations; in the mean time keeping every one of those close Prisoners that had oppos'd him, and using Prince Edward and his Cousin Henry not like Hostages, but rather like ordinary Prisoners, being kept in strict Custody for a time in Wallingford, then in Dover-Castle, and sometimes in other Places: The like he did by the King of the Romans, and his Second Son Edmund, tho' he was then but a Youth, who were afterwards kept Prisoners in Kenelworth-Castle till the Death of Simon Montfort.

[3] This Earl having reduced those Parts of England to his Subjection, return'd to London about the beginning of June, with the King in his Company; where he was no sooner return'd, but they made him direct his Writs to the Lord Adam of Newmarket and others, (that were now appointed Conservators of the Peace in al-

Amo Dom.
MCCCLXIV

[1] G. R.
What the
Earl of Leice-
ster made the
King do after
he had him in
his Power.

[2] M. W.
The King be-
ing carried by
the E. of Lei-
cester round
the Countrey,
thereby takes
in those Pla-
ces that held
out, and also
by his Autho-
rity sets free
those of his
Party who
were in Pri-
son.
He makes his
Son Simon
Constable of
Dover Castle,
and Warden
of the Cinque-
Ports.

* Vid. Pat.
48 H. 3. M. 13.
Dr. Brady's
Append. n. 109.
How the Earl
of Leicester
sets free those
that had took
his Part, and
keeps all o-
thers Prison-
ers.

[3] M. W.
The King by
Simon Mont-
fort's procure-
ment sends
out Writs for
new Conser-
vators of the
Peace.

Ann. Dom. M.CCLXIV.
 most all the Counties of *England*) reciting, 'That whereas by Divine Grace there had been a firm Peace agreed on between Him and his Barons, to be inviolably observed through the whole Kingdom, He did therefore, by the Advice and Assent of his said Barons, constitute and appoint him, and those others to whom these Writs were directed, to be Keepers and Conservators of that said Peace, in all those Counties of *England*, during Pleasure, strictly commanding and enjoining them, by their Faith and Allegiance, to see the Peace kept in their several Counties; and farther prohibiting in his Name all Persons, under pain of Disherison and danger of Life and Members, to Assault any Man, or Plunder him, or to commit Homicide, Burnings, Robberies, Tolts, (*i. e.* Thefts and Rapines) or perpetrate any the like Enormities, or to do Damage to any Man contrary to his Peace; also that for the future, no Man should bear Arms in the Kingdom without his special Licence and Command; and if they found such Malefactors and Disturbers of the Peace, they were to arrest and keep them safe until further Order.

A farther
 Clause in the
 Commission,
 commanding
 these Conserv-
 ators to re-
 turn up Four
 Knights for
 each County.

There is likewise farther express'd, at the end of each of these Commissions, a particular Precept to these Conservators, reciting, That whereas at the ensuing Parliament the King intended to treat with the Prelates, Great Men, and Others his faithful Subject, concerning his own and the Kingdom's Affairs, he therefore Commanded the said Conservators to send up to him, Four of the most Legal and Discreet Knights of each County, to be chosen by the Assent of that County, for the whole County to appear at *London*, on the *Octaves* (*i. e.* Eight Days after the Feast) of Holy Trinity at farthest, there to treat with him concerning the said Affairs. This Commission bears date the 4th of *June*, and is upon * Record in the Tower.

* Pat. 48.

Hen. 3. M. 12.

Dors.

Vid. Dr. B.'s

Append. N. 210.

The King also
 issues out another
 Writ for
 the bringing
 up of such
 Prisoners as
 had been taken
 in the
 Battle of *Northampton*.

* Pat. 48. Hen.

3. M. 13.

Vid. Dr. B.'s

Append. N.

211. 212.

[4] M. W.

The Earl of

Leicester and

the Barons set

aside the *Mise*

at *Lewes*, and

resolve to settle

the Government

by Parliament,

which is summoned.

* Pat. 48.

H. 3. M. 6.

Dors.

Dr. B.'s Appen-

N. 213.

At the same time also the King directed his Writs to *James Audley*, *Roger Mortimer*, and *Roger de Clifford*, together with *John de Grey*, *Drogo de Barentin*, and *John de Vaus*, (the Three last of whom were Constables of the Castles of *Nottingham*, *Windso*; and *Norwich*) commanding them, by their Faith and Homage, to bring up with them all such Prisoners as were taken at the Battel of *Northampton*; as likewise all other Prisoners then in their Custody, many of whose Names (there particularly mention'd) I omit, as not necessary to our purpose: the Writs are also upon * Record in the same place.

[4] Then the Earl of *Leicester*, and those Barons of his Party, without any regard to the late *Mise* or Agreement lately made at *Lewes*, being grown Insolent with their Success, resolv'd to settle the Government by Parliament, as they themselves should think fit; and to this end caus'd the King to summon one to meet eight Days after *Trinity-Sunday* (which was that Year on the 22d of *June*) in the 48th of *Henry* the Third, and to which (besides the Bishops, Earls, and Barons, particularly summon'd) there were also four Knights to be return'd by the Conservators of each County, according to the Writs or Commissions abovemention'd.

When this Parliament was thus Assembled, they agreed upon an Instrument, which is on * Record, and enter'd under this Title.

The

This is the Form of the Peace unanimously approv'd of by our Lord the *Anno Dom.*
and the Lord Edward his Son, and all the Prelates and Barons, toge- *MCCLXIV.*
ther with the whole Community of the Kingdom of England, and is thus : The Parliam.
 'That a certain Ordinance made in the Parliament held at London, being met, a-
 'about the Feast of St. John Baptist last past, for preserving the Peace, gree upon a
 'of the Kingdom, until such time as the Peace between the said Lord new Form of
 'the King, and the Barons at Lewes, according to the Form of a Government, to last till a
 'tain *Mise* or Agreement, should be fully concluded; which Peace, according to the
 'was to endure firm and unalterable all the Days of the said King, *Mise at Lewes,*
 'and also during the time of Prince Edward, after he should become were conclu-
 'King, *unto the Term which it should then be judged fitting to be ded.
 'moderated. This is the Preface, then follows the Statute or Or-
 'dinance it self, which is to this effect:

'That for the Reformation of the State of the Kingdom, there
 'should be chosen out of it Three discreet and faithful Men, who
 'should have Power and Authority from the King, of naming and
 'choosing Nine Counsellors, out of whom Three at the least, by
 'turns, should always be present at the Court; and the King by the
 'Advice of those Nine, should order and dispose of the Custody of
 'his Castles, and all other Affairs of the Kingdom, and should make
 'his Justiciary, Chancellor, Treasurer, and all other Great and Small
 'Officers that belonged to the Government of the Court and
 'Kingdom: and the first Electors of them, were to swear
 'that according to their Consciences they should choose and
 'nominate such Counsellors for the Honour of God and the
 'Church, as should be faithful and profitable to the Kingdom; the
 'Counsellors also and all Officers both great and small, were to swear
 'at their Creation, that they would, to the utmost of their Power,
 'execute their Offices to the Honour of God and the Church, and to
 'the Profit of the King and Kingdom, without any other *Present or
 'Reward than things to Eat and Drink; and if these Counsellors, or
 'any of them, so misdemeaned themselves as to be thought no longer
 'fit to hold those Employments; then the King, by the Advice of
 'the Three first Electors, might change and remove as many of them
 'as he judged necessary; and in the place of them so removed, to
 'substitute other fit and faithful Person or Persons; and if any other
 'Officers, whither Great or Small, behav'd themselves amiss, they
 'were likewise to be remov'd by the Council of the Nine, and others
 'should be by them appointed in their Places; and if the said Three
 'Electors could not agree in the choice of Counsellors, or that they
 'agreed not in the Creation of Officers, or in disposing of, or dis-
 'patching the other Affairs of the King and Kingdom, that then what
 'should be ordain'd by Two Parts of the Three, should firmly be ob-
 'served, so as of those Two Parts, one should be a Prelate, if it were
 'in Matters concerning the Church; and if it should happen that
 'Two Parts of the Nine should not agree in any business, then it was
 'to be determined by the Three first Electors, or the major part of
 'them; and if it should be thought expedient by the Community of
 'the Prelates and Barons, that all, or any of the Three first Electors
 'should be removed, and others substituted in their rooms, the King
 'should substitute them by the Advice of the Community of the Earls
 'and Barons.

* *Usque ad
 terminum quem
 extunc duxeris
 moderandum.*

The Contents
 of this Ordi-
 nance.

* *i.e. They
 might receive
 any Presents
 that were on-
 ly Esculentia &
 Poculentia.*

' All

Anno Dom.
MCCLXIV.

' All these things the King was to do by the Council of the Nine, in such Form as was to be subscribed by Him, or by them in his stead, by his Authority. This Ordinance was to endure until the *Mise* or Agreement made at *Lewes* should be compleated, or another Form provided and appointed by the Agreement of all Parties. In Witness whereof, *Richard*, Bishop of *Lincoln*; and *Hugh*, Bishop of *Ely*; *Roger*, Earl of *Norfolk*; and Mareschal of *England*; *Robert de Vere*, Earl of *Oxford*; *Humphry de Bobun*; *William de Montchenssey*, and the Mayor of *London*, put their Seals to this Charter, dated at the Parliament at *London* in *June* 1264.

Note, But tho' the Day of the Month be wanting in the Record, yet in an antient Transcript of this Agreement in Manuscript, in the *Bodleian* Library, it is recited in the Conclusion to have been made by the Consent of the Prelates, Barons, and Communalty of *England*, on the Vigil of *St. Peter and Paul*, (i. e. *June* 29.) &c.

This is the substance of that Form of Government which *Simon Montfort*, and those of his Party then thought fit to impose upon the King; and having the Power in their own Hands, it was an easie Matter for them to make those whom they had appointed Conservators of the Peace in each County, to return none but such Knights who they were very well satisfied would perform whatever they desir'd; and that this Instrument was ready drawn, and so there could be little or no debate about so great and weighty an Affair, appears by the next * Record (which *Dr. Brady* has also given us) wherein the King declares, that he hath given Power to *Stephen*, Bishop of *Chichester*; *Simon Montfort*, Earl of *Leicester*; and *Gilbert de Clare*, Earl of *Gloucester* and *Hereford*, to name Nine of the most skilful, faithful, and useful Men of the Kingdom, as well Prelates as others, by whose Advice he would Govern, according to the Laws and Customs of the same, until the *Mise* lately made at *Lewes*, or any other Form (if any better could be provided) should be fulfill'd; and at the end of this Declaration it is farther specified, that the said Bishops and Earls were authoriz'd to nominate these Electors. This bears date the 23^d Day of *June*, the Day after the Parliament sate; and could not therefore be drawn up in so short a Time, by their Deliberation or Advice.

* Sub Anno
1265.
Matt. of West-
minster's Ac-
count of these
Transactions
agrees in most
things with
the Records.

And the short Account * *Matt. of Westminster* gives of this Matter, in most things agrees with these Records; for (saith he) the Prelates, Earls, and Barons of that Party who now Seditiously held their King Prisoner, met at *London*, and unmindful of the Compromise made at *Lewes*, or the Oath they had taken, contrived certain new Ordinances for the Government of the Kingdom, and ordained among other new things, viz. That Two Earls, and one Bishop, Elected by the Community, should choose Nine Barons, Three whereof should constantly assist the King; and by the Counsel of those Three, and these Nine, all the Affairs as well of the King's Household, as of the Kingdom should be transacted; and that what the King should do without the Advice of at least Three of them, should be void, and of none effect; and then the Earls of *Leicester* and *Gloucester*, and Bishop of *Chichester* (who had promised to all that fought stoutly against the King, and were killed in the Battel of *Lewes*, immediate entrance into Heaven) were constituted Three of these Chief Counsellors.

Then

Then they and the rest of the Barons threat'ning the King, that they would Depose him and choose another, and also keep the Prince perpetually in Prison, if they refus'd to consent to this Ordinance, they thereby compell'd them both to agree to it. Having thus contriv'd and perfected these Ordinances, they presently sent Letters to Cardinal Guido, Bishop of *Sabine*, then the Pope's Legate for *England*, (at that time in *France*) and to the *French King* himself, to excuse what they had done, as that it was but in regard of their present Circumstances, that they set aside the Compromise or Agreement made at *Lewes*, and establish'd this new Form of Peace, made, as they pretended, by the amicable Consent of all Parties: and then the Bishops of *London*, *Winchester*, and *Worcester*, and some others of the Province of *Canterbury*, also wrote to, and earnestly beseeched the aforesaid Legate, that he would use his endeavours to promote this Peace on the Terms agreed upon in *England*. Yet it seems by a *Record in the *Tower*, that to pacifie the King of *France*, and to put the better Colour upon their Proceedings, *Simon Montfort*, and those of his Faction, made the King (being now at *Canterbury*) seal a Charter, whereby He himself, as also the Earl of *Leicester*, and all the Barons of *England*, who had refus'd the late Sentence of King *Lewis*, oblig'd themselves to refer the late Sentence of that King, to the further Judgment and Examination of *Henry*, Bishop of *London*; *Hugh le Despenser*, Justiciary of *England*; *Charles*, Duke of *Anjou*, Brother to the King of *France*; and to the Abbot of *Bocon*, who had thereby full Power given them, of adding, or taking away from it what they should think fit; as also of ordaining what they suppos'd would tend to the amendment, or better observation thereof; and for the true performance of this, the King, and all the rest of the Parties therein mention'd, submit themselves to the Jurisdiction of the Pope's Legate, to be proceeded against by Sentence of *Excommunication*, against those that should presume to contradict it. There are also divers other Clauses in this Charter, which are needless to be recited, only I shall take notice of some of the most remarkable; One of which is, That it shall not be lawful for the said Arbitrators to Ordain, that the Kingdom shall be govern'd by any other than the *Native Subjects* thereof. There is also another Clause whereby it is provided, That all Personal Quarrels, Contentions, and Demands, which the King and the Earl of *Leicester* have now against each other, and for which they have refer'd themselves to the King of *France*, shall be ended and concluded in the first place, before the Sentence or Ordinance of these Arbitrators shall be made and finished. In Testimony whereof, the said King *Henry*, with the Earls of *Leicester* and *Gloucester*, and some other Barons there named, do, for themselves, and the rest of the Barons of *England*, put their Seals. This bears Date at *Canterbury* on the *Thursday* after the Feast of our Lady's Nativity (being the 18th of *September*)

* *A. D.* 1263. This Record is omitted by *Dr. Brady* in his History, tho' he hath given us † another which immediately preceeds the former in the same Roll (and to which I suppose that Charter refers) And by this, the King constitutes the Bishops of *London*, *Worcester*, and *Winchester*, with *Hugh le d' Espenser*, *Peter Montfort*, and *Richard de Mepham*, Arch-Deacon of *Oxford*, Procurators and Commissioners

Anno Dom.
MCCCLXIII.The Earl of
Leicester, and
the Barons,
by threatening
to depose
the King
and to keep
the Prince in
Prison, make
them consent
to this Ordinance.The Earl of
Leicester and
the Barons
wrote Letters
to the Pope's
Legate, and
to the King of
France, giving
them an account
of this new Form
of Peace.* *Pat.* 48. H.
3. m. 4. and it
is Printed in
Pryn's Second
Vol. of the
Papal Usurpa-
tions, p. 1001.* This is a
Mistake either
in the Record
or in the
Transcript,
for it should
be 1264.
† *Vid.* *Dr. B.*
Append. p. 215.
The Commis-
sioners now
appointed to
treat with the
K. of *France*.

Anno Dom. 1547. to treat in the Presence of the illustrious Prince the King of *France*, and the Venerable Father, *Guido*, Bishop of *Sabine*, and Legate of the Apostolick See, or either of them, about the Reformation of the Kingdom of *England*, with Power to do whatever they thought fit in this Matter, and to give such Security for it as the business requir'd, with a special Clause to *Peter Montfort* to take an Oath on the King's behalf to perform what they should agree to in his Name.

What these Commissioners did, Dr. *Brady* says he cannot tell, but had he consulted [5] *Thomas Wikes's* Chronicle, then in Manuscript, in the *Cottonian* Library, that would have inform'd him, not only of what these Bishops then acted in *France*, but also what was the occasion of their Journey thither, viz. That Pope *Urban* the Eighth, pitying the sad and deplorable State of the *English* Nation, had the Year before sent an Order to his Legate, Cardinal *Guido*, Bishop of *Sabine*, a wise and eloquent Prelate, to come over into *England* to arbitrate and compose the Quarrels and Differences between the King and the Barons; but the Earl of *Leicester*, and those of his Party, would not permit the Legate to come hither, or at all to intermeddle with the Affairs of *England*: when the Cardinal found this, he with the Archbishop of *Canterbury* (who had then in discontent retir'd into *France*,) summon'd all the Bishops of *England*, especially those of *London*, *Winchester*, *Chichester*, and *Salisbury*, (as the chief Favourers of the Barons Cause) to appear before them at *Bologne*; but they either really, or otherwise pretended to be hinder'd by the Barons from going over thither, but the Legate look'd upon it as only a feign'd Excuse, and thereupon Excommunicated them for Contumacy; but they, to fence off this Blow, appeal'd from the Legate to the Pope: Yet at last the Bishops of *London*, *Winchester*, and *Worcester* being better advis'd, went over into *France* about the Nativity of the Blessed Virgin; the Justiciary, and some other Noblemen of *England*, accompanying them, who all appear'd before the Legate, to justify themselves as well as they could; and upon this Account it was, that *Matt. Westminster* says, the Bishops abovemention'd went over into *France*, with a Power from the King to treat with the Pope's Legate, concerning the settling the State of *England*, as is express'd in the last mention'd Record.

[1] *Id. ib.*
The Legate by the Pope's Authority commands these Bishops to return into *England*, and Excommunicate the Earl of *Leicester* and his Accomplices.

But being seiz'd by some of the *Cinque-Ports* the Pope's Bull to Excommunicate them is taken and torn to pieces.

[1] The same Author tells us also what was farther done thereupon in this Affair, viz. That the Legate being supported by Apostolical Authority, enjoyn'd these Bishops forthwith to return into *England*, and there to Excommunicate the Earl of *Leicester* and his Sons, with all their Favourers and Accomplices by Name; and likewise to put the City of *London*, with all the Lands of the Earl of *Gloucester*, and the *Cinque-Ports* under an *Interdict*; the Bishops having thus receiv'd the Pope's Brief or Commission, presently set Sail for *England*, but being seiz'd in their Passage over, by some Seamen that belong'd to the *Cinque-Ports*, they were straightway searched, and the Pope's Bull to Excommunicate the said Lords being found about them, it was, without any farther Ceremony, torn to pieces and flung into the Sea; and the Bishops themselves were also threaten'd with the loss of their Heads, if they should presume to publish this Sentence: Thus (says our Author) the rudeness of these Mariners struck those lukewarm Prelates quite Dumb, as having now a good pretence not to execute what they before did not approve of.

[2] Now

[2] Now this *Guido*, the Pope's Legate, seeing his Designs thus disappointed, took his Journey towards *Rome*, but before he got thither, he receiv'd the news of the Death of Pope *Urban* the Fourth about *Michaelmas*, and that the Cardinals had chosen him Pope in his stead; and he being Consecrated in the beginning of *February* following, was called *Clement* the Fourth; and so soon as he was settled in his Seat, he severely revenged that Affront, which the *English* had put upon the *Roman* See, as you will find anon.

With this Relation [3] *Mat. Westminster* also agrees concerning the *Excommunication* issued forth by the Legate, and its being taken and destroyed by the Men of *Dover*; but he says it was done after the Bishops had Landed, yet mentions nothing of their going over to the Legate, (which I much wonder at) only that they were summon'd to appear, and that the Legate issued out his Sentence of *Excommunication* and *Interdict* against the City of *London* and the *Cinque-Ports*; and that to prevent this Sentence, they appeal'd to the Pope, or the General Council; but to return to Civil Affairs,

[4] About the beginning of *July* the Earl of *Leicester*, being Allarm'd at the report that a great Multitude of Foreigners were preparing to make an Invasion here, caused the King to issue out a Writ or Proclamation, directed to the Archbishops, Bishops, Abbots, Priors, Earls, Barons, Knights, Freemen, and to the whole Commonalty of most of the Counties of *England*, wherein was set forth, 'That he had receiv'd certain Information of a horrid Conspiracy intended by a numerous Company of Foreigners that were preparing Shipping and other Warlike Ammunition, in order to Invade the Kingdom, to the disinheriting of himself, and every Person thereof, unless due care were taken by a sufficient Force to prevent it. He therefore Commands all Knights and Free Tenants to make ready themselves with Horse and Arms, so as to be at *London* on *Sunday* after the first of *August*, to march with him from thence for the defence of his Royal Person, themselves and the whole Nation, against these Foreigners; and also requires all Sheriffs to take with them the Keeper of the Peace of the County, to summon and firmly enjoin, in the King's Name, the aforesaid Archbishops, Bishops, Barons, and all others, who ow'd the King Military Service, by the Faith and Homage in which they were bound to him, and as they loved themselves, their Lands and Tenements, to come to him, not only with the Service they ow'd him, and were bound by their Tenure to perform, but with what other Horses and Arms they could spare, or send them with as many choice Foot as they could raise, that so by their help he might effectually resist the impendent Danger. The rest of this Proclamation being very long, I shall contract it as much as I can: And First of all it sets forth, 'That no Man was to be excused for non-appearance, by reason of the shortness of the Time, nor yet of the approaching Harvest, since it was better for them to suffer some loss of Goods, than the destruction of the King and Kingdom; and besides the Forces abovemention'd, the Sheriffs were to cause to come at the same Day, Four, Six, or Eight of the best and stoutest Foot Souldiers from every Town, according to the extent of it, with their Arms then in use, who were to have their Expences born for Forty Days; and that the Cities and Boroughs

Anno Dom.

MCCOLX IV.

[2] Id. ib.

Whereupon the Pope's Legate goes for Rome, and by the way receives News of the Pope's Death, and of his being chosen in his stead.

[3] Sub hoc Anno.

Mat. of Westminster's Account of this Transaction of the Bishops somewhat different from the former.

[4] Id. ib.

Upon the Report of an Invasion by Foreigners, Simon Montfort makes the King issue out Writs commanding all Persons to be ready with Horse and Arms.

Anno Dom.
MCCCLXIV.

should also send in both Horse and Foot according to their Largeness and Abilities. This Command of the King's, the Sheriffs were forthwith to publish, and thereby give notice to all Men, that they might prepare themselves to be ready at the time appointed; letting them know withall, that if the King should find any Contemners of his Command, or that should be remiss in the performance of it, he would seize their Persons and Goods, as of those that neither valued his, nor their own Preservation. This Declaration was dated at * St. Paul's, London, on the 6th of July. Which is translated and inserted at large in [5] Dr. Brady's History; and the Latin Original is also in his † Appendix, taken from the * Record in the Tower; And this does indeed deserve the Reader's Notice, it being the first Commission of this kind that is extant, and shews not only the manner of raising the Militia in those Times, but that all Men, even the meanest Householders, were then by Law to be furnish'd with Arms, suitable to their degree. And then also for the securing of the Sea-Coasts, the King, on the 9th of July, issued forth his * Writs to the Good Men of *Len, Tarmouth, Donwiche, Oxford, Ipswich*, and all other Cities, Burghs, and Towns upon the Coasts of *Norfolk and Suffolk*, to be obedient to the Directions of *Hugh le D'Espenser*, his Justiciary, in securing the Coasts of those Counties, and whom he had sent to them for that purpose.

* i. e. at the
Bp. of London's
Palace near
St. Paul's
Church.
[5] P. 646.
† N. 217.
* Rot. Pat. 48.
H. 3. M. 9. D. 1.

* R. Pat. 48. H.
3. M. 21. D. 1.
Other Writs
are also issued
for securing
the Sea-
Coasts.

The Earl of
Leicester takes
a Licence to
ride Armed,
and for what
reason.

* Rot. Pat. 48.
H. 3. M. 7.
Vid. Dr. B's
Append. N. 218.

The Forces
not coming
in, the King
causes a Pro-
clamation to
be made to
enforce them
under great
Penalties.

The People
weary
of watching
and guarding
the Sea-Coasts
being about to
go home, are
resolving to
keep to their
Duty.

* Rot. Pat. 48.
H. 3. M. 3. D. 1.

At this time likewise, forasmuch as the Earl of *Leicester* would be thought a strict Observer of the King's Commands, he received his Licence to ride armed, tho' by the Council of his Barons he had before straightly forbid all Men, on the peril of their Lives, to ride about with Horses and Arms: But this was allow'd the Earl, because of the many Hostages and Prisoners he was to carry about with him; which Writ of Licence is dated at *St. Paul's, London*, the Sixth of July, and is upon * Record, as is also this that follows in the same Roll.

The Forces to be raised against the Invasion of the Foreigners, not coming in so fast as was expected, the King on the Ninth of August wrote to the Sheriffs of *Cambridge and Huntington-shires*, to make Proclamation, that all that were commanded to be at *London* on the Sunday next after the First of August, with their Horses and Arms, &c. should march thither in all haste, under pain of losing all their Lands, Tenements, and Goods, and be in danger of Life and Limbs; and he there also orders, that after Proclamation made, if they did not then march, the Sheriff should take and detain in Prison all Defaulters until farther order, and out of the Profits of their Estates to send as many armed Men as they ought to maintain.

But when the People, tired out with watching and guarding the Sea-coasts in *Norfolk, Suffolk, and Essex*, against Foreigners, were about to go to their own Homes, they alledg'd, they had been there Forty Days, and would stay no longer; and the King having notice of their Intentions, on the Seventeenth of September wrote * Letters to all that were assembled for that purpose in those Counties, importing, 'That whereas he was apprehensive of several Things that might happen, by reason of some News he had lately heard, it was necessary for them to stay a while longer upon the Coast; therefore commanded them, by the Faith in which they were bound to him,

him, and under pain of losing all they had in the Kingdom, that for His, and the common Defence of the Nation against Strangers, they should stay there, and not depart until they received his Licence; and further commanded the Sheriffs to provide Money from the Counties, for such as were not able to bear their own Charges, for the space of Eight Days ensuing, or longer, if there were need; and directed them, under the like Penalties (as before) to seize the Lands and Goods of all Defaulters.

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And there is also on * Record another Writ or Letter from the King to the Sheriffs of *Oxford* and *Buckingham-shire*, to command and enjoin all Knights and Free-holders in their Bailiwicks, that were able to bear Arms, and had Lands to the Value of an Hundred Shillings, or Ten Pounds a Year, under the Penalty of losing all their said Lands and Tenements, to come to him in their proper Persons with Horse and Arms, where-ever he was in *England*, with all possible speed, to oppose the Strangers that were now suddenly expected from beyond Sea; and to furnish themselves with Money for their Expences in the Army, until three Weeks after *Michaelmas*; and the Sheriffs were to provide for the Expences of such Foot Soldiers as were not able to do it for themselves, by Taxing the County for that purpose.

* *Rot. Pat. 48. H. 3. M. 3. Dors.*

Another Writ to the Sheriff of *Oxon* and *Bucks.* to warn all the Freeholders of those Counties to attend the K. in Person.

I have been the more exact in setting down the substance of these Records, because they serve to prove the King's Power over the Militia of the Kingdom in those Times, and that independent from Authority of Parliament.

The King's ancient Power over the Militia in those Times.

But tho' I must here own *Dr. Brady's* diligence is much to be commended, in collecting and printing these Records at the end of his History, yet I can by no means assent to his [5] Opinion, that notwithstanding all these reiterated Writs or Letters for the raising and arraying the Militia of the several Counties in *England*, and for the setting out of Ships for the guard of the Sea-Coasts, yet that all this was only a Politick fetch of *Simon Montfort's* to cheat the People, and make them afraid of a Foreign Invasion; and that these Rumours were only spread abroad on purpose to keep the Peoples Heads warm with Jealousies and Fears, that an Army might always be ready to baffle all attempts of rescuing the King out of the Power of the Barons, who was all this while forc'd to own them to be true and faithful Subjects to him, by sending out the above-mentioned Declaration and Letters; but the Doctor gives us no other authority for this Opinion, than a * Record already cited in the beginning of this Year, and which he has Printed in his † *Appendix* to this effect, That where-as divers Persons had raised Reports, that the King intended to bring an Army of Strangers into the Kingdom to destroy the Nation, &c. therefore to undeceive the People, he then wrote to all the Sheriffs of *England* to make Proclamation in their County-Courts, that he intended no such thing, with other Matters, for which I refer you to the Record it self already cited. But here I must observe, that the Doctor is guilty of a double Mistake, first in positively asserting from this Record, that *Montfort* and his Confederates were the raisers of this Report, when it names no body in particular, but only says, that they were *Quidam, some Persons*, who had spread it abroad; nor is his Consequence any better grounded, that granting *Simon Mont-*

[5] P. 646. *Dr. Brady's* great Mistake, in supposing their Invasion not to have been really intended.

* *Rot. Pat. 48. H. 3. M. 20. Dors.* The Authority the Doctor brings to prove this is not to the Purpose.

† N. 216.

fort

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Montfort and his Party had been formerly the raisers of this Report, and that it had been then altogether false and groundless, therefore they must likewise be so at this time, when all the Kingdom was actually in Arms; for when the King issued out the first Writ or Letter, mention'd by the Doctor, which bears Date *September* the 20th in the 47th Year of his Reign, concerning the above-mention'd Report, he was then wholly at his own disposal, it being several Months before the Battel of *Lewes*, which happen'd in *May* following; and tho' there might be no just Ground for any such Report then, yet there might very well be so now, when (the King being kept against his Will under *Montfort's* Custody, and *Prince Edward* also a Prisoner) *Queen Eleanor*, who was then in *France*, together with the Earls of *Pembroke* and *Warren*, and several other Great Men that had lately been driven out of *England*; when, I say, She and they endeavour'd all they could to set them free, and *Simon Montfort* had then very good Intelligence, that the Queen had really borrow'd Forces of the King of *France*, and other Foreign Princes, to free the King her Husband, and the Prince her Son, from that force they then lay under; and so much the [1] Doctor himself owns, when he cites this Passage out of *Matt. Westminster*, who says, That almost all *France*, as far as the *Alps*, by the Instigation of that King; *Peter*, Earl of *Savoy*; *Boniface*, Archbishop of *Canterbury*; and the Bishop Elect of *Lyons*, and other of the Queen's Relations, were greatly incens'd against the *English*, that thus traiterously oppos'd their King, which might (says the [2] Doctor) raise a Suspicion in them, of the Inclinations and willingness of those People to assist the King, but speaks not of any Shipping provided, or Forces rais'd there to reduce them to Obedience. And I very much admire at this Author's carelessness; for had he but consider'd the precedent Page in the same Author, he would have found that he says the direct contrary; therefore I shall here give you the whole Relation at large, since it falls in very opportunely in point of Time, and serves to clear so considerable a Matter of Fact, which the Doctor has either negligently or wilfully omitted.

[3] *M. W. ib.* And *M. Westm.* relates it thus; [3] That the Lords Marchers of *Wales*, to wit, *Roger de Mortimer*, *James de Audley*, *Roger de Clifford*, *Roger de Leyburn*, *Haimo L'Esrange*, with divers others that had made their escape from the Battel of *Lewes*, now muster'd up fresh Forces in the Marches, and did all they could to oppose the Barons; wherefore *Simon Montfort* being in Confederacy with *Llewellyn*, Prince of *Wales*, march'd into those Parts with a great Army, and taking the Castles of *Hereford* and the *Haye*, wasted the Lands of *Roger de Mortimer* with Fire and Sword; whereupon *Hugh* his Brother was compell'd to surrender himself to the Barons, with his Castle of *Richar*, which was committed to the Custody of *John Fitz-John*; and *Ludlow* was also deliver'd at the same time: from whence the *Welsh* and *English* Army went forward to *Montgomery*, where the said *Roger* and *James* made a feign'd Peace with the Barons, as it afterwards prov'd. But now the Earl of *Leicester* was forc'd to quit this Expedition, and to march toward the Sea, against the Foreigners, whose coming over in great Numbers, under the Conduct of the Queen, and *Peter* Earl of *Savoy*, was very much fear'd; to resist whom, all the strength of the Kingdom being summon'd by the King's Edict, was then assembled

[1] Comp.
Hist. p. 648.

[3] *M. W. ib.*

Matt. of Westm.
relation plainly
proves this
Invasion to
have been really
design'd.

bled upon *Barham-Down*, and towards which Expedition the Bishops likewise had receiv'd a Tenth of their Livings from the Rectors of Churches, as also from Religious Houses; and one might have then seen on that Heath so great an Army both of Horse and Foot, as you would not have believ'd could be then rais'd in *Edgland*.

[4] In the mean time Queen *Eleanor*, with an Army that she had gather'd from divers Nations, and which was commanded by so many Dukes and Earls as seem incredible, remain'd at *Bruges* in *Flanders*; a great Fleet lying also in the Port of *Dam*, in *Flanders*, to transport them hither, which they were mighty desirous of; yet the *English*, and especially the Seamen belonging to the *Cinque-Ports* seem'd not in the least to be afraid of them; but at last all this vast Army of Noblemen and mercenary Souldiers were forc'd to return home, for (God otherwise ordering it) their Expedition was quite frustrated by contrary Winds. But there were those who knowing the strength and number of that Army, affirm'd, that if they had once Landed here, they would certainly have subdu'd the whole Kingdom; yet God the Father of Mercies having then compassion on the People of *England*, caus'd the Hearts of so great a Multitude to fail, so that, I say, they return'd home without doing any thing, after they had spent so much Treasure in vain. However thus much must be own'd for the Honour of Queen *Eleanor*, that she then acted like a courageous *Virago*, to the utmost of her Power, for the delivery of the King her Husband, and her Son Prince *Edward*.

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[4] Id. ib.
A full Account
of the manner
of it from the
same Author.

Thus far *Matt. of Westminster* (whom the Doctor himself has but now cited) and tho' this Author appears highly concern'd for this King's Interest, and lived and wrote in his Grandson's Time, about Fourscore Years after these Transactions, yet he was so true an *English-man*, that he did not think it at all safe or beneficial for the Nation to have had the King restor'd by an Army of Foreigners, which I could wish some Men in our Time would take notice of. And now I shall leave it to the Doctor to consider, whether *Matt. Westminster* mentions nothing of any Shipping provided, or Forces rais'd beyond Sea to reduce the Barons to their Obedience.

And to put this quite out of doubt, *Thomas Wikes*, under this Year relates, that the Queen, with her Son *Edmund*, staying in *France*, and hearing what had happen'd to her Husband, she straight borrow'd great Summs of Money, and therewith raising an Army of all those Nations he there names, they marched down to *Dam* aforesaid, in order to rescue the King out of the hands of the Barons, and restore him to his former Authority. With whom also agrees the Continuator of the Chronicle of *Mailrose*, who wrote shortly after, (and which the Doctor must needs have seen when he was writing his History;) but this Author does not only agree with the two former, in his Account of the vast Army which the Queen had then rais'd, and brought down to the Sea-side, but also gives us the reason of their disappointment, viz. That all the while they lay on the Coast of *Flanders*, which was for Two Months together, they were so kept in by contrary Winds, that they could not pass over into *England*, infomuch that at last being necessitated to sell their Horses and all their Baggage, to their very Cloaths, for want of Money to subsist, they were forced to return into their own Countries.

Thomas Wikes's
Relation of
what the Qu.
now did in
France, to
carry on this
Invasion.

The true reason of the failing of this intended Invasion, was the contrary Winds, so that this Army which lay ready to come over was forc'd to disband.

I write

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I write not this to vindicate the Actions of *Simon Montfort*, for whose Memory I have as little kindness perhaps as the Doctor himself, but to let the Reader see how far prejudice against either a Person or Cause may carry an Historian to pass by, or conceal, so considerable a piece of History. But to return to our Own.

[5] M. W.

Whilst the E. of Leicester, is taken up in preventing the Invasion, the Lords Marchers make Incurfions upon the English Counties.

And possess themselves of all the Marches between Chester and Bristol in the King's Name.

[5] Whilst the Earl of *Leicester* was thus employed in preventing the Invasion of these Foreigners, and had drawn off great part of his Forces, the above mentioned Lords Marchers of the King's Party breaking the Peace they had lately made, again renewed the War, and invading the Counties on this, as well as on the other side the *Severn*. struck such a terroure into the Inhabitants thereabouts, that they took Sanctuary, by making Huts in the Church-yards for the preservation of their Persons and Goods against these Invaders. The principal Author of this mischief was *Haimo L' Estrange* a noted Plunderer, who altho' he had often fought stoutly, yet had by his Cruelty cast a great Blot upon his Reputation: But these Barons being fixed in their Castles, had possessed themselves of all the Marches between *Bristol* and *Chester* in the Name of King *Henry* and his Son the Prince: then *Robert de Walleran* and *Warren de Bassenborne*, Governors of *Bristol*, marched thence one Morning by break of day with a Party of Horse to the Castle of *Wallingsford*, in which *Henry*, Son to the King of the *Romans*, and Prince *Edward* were then kept Prisoners, tho' under the specious name of Hostages, thinking to have surprized it, and thereby to have set these Princes free, yet it proved to no purpose; for the Garison being awakened, gave them a brisk repulse; however they were in hopes by the Succour and Reinforcement of the Lords Marchers, (who were making all the haste they could up to their assistance) that they should have carried the Place.

[1] Id. ib.

The Earl of Leicester being provok'd by this Insurrection calls a Council of the Barons at Oxford, where it is resolv'd that the King with the Earl should go to those Parts, which is done accordingly.

Whereupon the Lords Marchers retreat over *Severn*.

The Lords Marchers being hard put to it by *Simon Montfort*, are forced to make Peace upon very hard Conditions.

[1] The Earl of *Leicester* being now provoked with this late Insurrection and Breach of the Peace, held a Council of the Nobility at *Oxford* concerning this matter; and therein they resolv'd, That he with a potent Army should go immediately into those Parts; whereupon (carrying with him the outwardly complying King) he marched to *Worcester* in order to reduce the Lords Marchers to obedience; towards whom nevertheless the King was thought too much inclinable, tho' he durst not then shew it, since they fought not only for his Deliverance, but also for the Liberty of the Prince his Son; therefore these Lords, who were much inferiour in number to *Leicester's* Forces, drew back their own beyond the *Severn*, and there stopt; and the better to resist the Earl and his Forces, they broke down the Bridge at *Worcester*, and sunk the Ferry-boats, that so they might by that means hinder their Enemies from passing over; yet for all this they found it in vain to fight against so many brave and valiant Men, especially when they had *Simon Montfort*, an experienced Warriour, to command them; and having also Prince *Llewellyn* (who was now marched out of *Wales*) upon the back of them, they were so put to it, that they were forced to make peace with that Earl on these hard Conditions, viz. That they should leave the Nation for a Year, and deliver up all their Castles to the Earl; and to these Terms they the more readily consented, because they were in hopes that Prince *Edward* by that time might be freed of his imprisonment,

prisonment, when there were none in Arms to take either his or his Father's Part, so that by this means the Earl of *Leicester* became possessed of almost all the Castles upon the *Marches* from *Bristol* to *Chester*; which City and Castle, with the Earldom and all its Appurtenances, Prince *Edward* was some time after forced to grant him in exchange of other Manours and Lands, before his Liberty could be so much as treated of; This Grant was confirmed by the King on the 20th of *March* following: and also the Castles and Honours of *Pec*, the Castle and Town of *Newcastle* underline in *Staffordshire* were then granted with them, to him and his Heirs. But tho' this was proposed, and perhaps agreed to between them, yet was it not confirm'd by the King till the year following, as appears by his Patent upon Record in the Tower: yet that this Exchange was real, and not meerly pretended, as Dr. *Brady* asserts, see a Record of 49 of *Henry* the 3d. (*Rot. Pat. 49. H. 3. m. 16.*) which is printed in the Appendix at the end of this Volume, N. 12.

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† Rot. Pat. 49.
H. 3. M. 46.
* Compl. Hist.
p. 648.

But to come to somewhat more considerable; the *London Annals* inform us, that about the Feast of *St. Simon and Jude*, it was provided by the Council of the Great Men, who had then the Administration of the Government in their hands, that three Bishops should be chosen who should have full power to assess the Damages, and make satisfaction for all Losses received by Clergy-men during the late Troubles, and that if any refused to stand to their Judgment, they were to be *Excommunicated*: these Bishops were also to keep in their hands and receive the Profits of all Benefices of such Foreigners as had been banished the Kingdom, and they were to keep them till the Settlement of a more firm Peace could be made.

But that the King continued in the *Marches* of *Wales* till towards *Christmas*, appears by his Writ to the Sheriff of *Middlesex* dated at *Worcester* the 13th of *December*, whereby he commands certain Statutes sent down along with it, to be proclaimed and observed under great Penalties. But since I have spoken farther of this Body of Laws, at the end of this Reign, I refer the Reader thither, if he desires farther satisfaction about them; only he may take notice, that a Copy of the Writ sent down with them, is Printed in the * *Appendix* N. 12. to this Volume.

Thus all things being for the present quiet in the *Marches* of *Wales*, the King went directly to his Palace of *Woodstock*, there to keep his *Christmas*, whilst the Earl did the like at his Castle of *Kenelworth* in *Warwick-shire*, and is reported to have had no less than Two Hundred Knights in his Family, who received his Stipend or Wages, besides many others that follow'd him when he took the Field; inso-much that all *England* was now in subjection to him, except the most Northern Parts of it, which by the means of the King of *Scots*, and *John Balliol*, still held out against him. All Affairs being thus under his Government, the King that had now reign'd Fifty Years, signified no more than a Cypher, so that he could not go any where on Progress without a Keeper, and under the disposal of others, who were commonly one or more of the Earl of *Leicester's* Sons; *Hugh d'Espenser*, the Justiciary; the Earl of *Gloucester* being excluded, whom they chiefly suspected and feared, as One that was most able to break this Confederacy; and all the King's Castles and strong

[1] T. W. ib.
The King and
the Earl of
Leicester re-
turn into
England to
keep *Christm.*

The K. being
under the go-
vernment of
Sim. Montfort
is no more
than a Cypher.

D d d d d

Forts

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Forts of the Kingdom they divided among themselves, making the King's Capital Enemies the Chief Officers of his House.

[2] In hoc Anno.
The sad Con-
dition of the
Kingdom un-
dom under
the manage-
ment of the
Earl of Lei-
cester, and
those of his
Parry.

I shall now give you from [2] *Thomas Wikes* a farther Account of the deplorable State of *England*, during this Oligarchy of the Earl of *Leicester*, and the Lords of his Party, under whom the Inhabitants of the *Cinque-Ports* were grown to that height of Insolence, that setting out a great number of Privateers, they cruized about the *English Seas*, and taking all Vessels they met with, as well *English* as Foreign, they seized their Goods, killed their Men, and flung their Bodies into the Sea; by which means *England*, that used to excel all other Nations in plenty of Foreign Commodities, was now become so indigent, that Wines, Salt, Iron, and all other Wares that came from beyond Sea, rose to that excessive Rate, that they were sold at above Four times their former Price; so that no Commodities being able to be carried in or out, the Merchants were reduced to great Extremities: The Earl perceiving this, and being willing to pacifie the People, gave out, that *England* could very well subsist without Foreign Commodities (which was very hard to suppose, since all Kingdoms subsist by a mutual exchange of Wares or Manufactures with their Neighbours;) yet some Persons who were desirous to curry Favour with the Earl, lest they should seem to be any ways beholding to Foreign Countries, left off coloured Cloaths, and wore them white.

From whence we may observe, that we were not then able to Dye a Piece of Cloath in *England* in those Days; as also how miserable a State this Nation was then in, and would be again, when ever a free Trade shall be obstructed, either through the too great Naval Force of our Neighbours, or of those of our own Countrey, when employ'd to its prejudice.

[3] Id. ib.
The fordid
Covetousness
of Henry de
Montfort.

[3] Besides these Depredations, *Henry de Montfort*, eldest Son to the Earl of *Leicester*, very much sullied his Military Honour, by seizing and applying to his own use all the Wooll of the Kingdom in the very Ports, and which the Merchants of *England* and *Flanders* had lately bought to transport into Foreign Parts; and thus of a Warriour he became a Wooll-Merchant: With these and other Grievances *England*, of a Flourishing Kingdom, was now so poor and despicable, that it became a by-word and scorn to its Neighbours; yet during this Winter things continued pretty quiet, but the War broke out afresh the Summer following with greater violence, as you will find anon.

The Death of
Godfrey, Arch-
bishop of
York.
* M. W.

Nothing happen'd further considerable in the Ecclesiastical Affairs, except * the Death of *Godfrey*, Archbishop of *York*; a Prelate remarkable for no great Learning, or other good Qualities: *Walter Gifford*, Bishop of *Bathe* and *Wells* succeeded him by the Pope's immediate nomination.

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The K. under
the Guardian-
ship of one of
Sim. Montfort's
Sons.

We have already told you, that the King this Year kept his *Christmasts* at *Woodstock*, being then under the Guardianship of one of *Simon Montfort's* Sons; the Earl of *Gloucester* being, upon some late Jealousies and Quarrels that had arisen between the Earl of *Leicester* and him, wholly excluded from having any thing to do in the Government, except in some publick Affairs, from which he could not

not well be exempt: But I will give the Reader a further light in to this Quarrel, since it was the cause of that great Revolution which not long after followed.

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[4] Leicester was now become so very great, that the Earl of Gloucester envied him, and thought himself slighted and ill used by him; since it was not sufficient for him thus to carry about the poor Captive King, but he alone must order all the great Affairs of the Kingdom as he pleas'd; yet that which most offended Gloucester was, that he took to his own use the Profits and Revenues of the Kingdom, and all the Money that was paid for the Ransom of Prisoners, which by Agreement was to have been divided between them, and which indeed must have amounted to a vast Summ; for the Earl of Gloucester claim'd the King of the Romans and his Son Henry for his share, who had surrend'ed themselves to him at the Battel of Lewes, but they being detain'd by Simon Montfort, and kept as his Prisoners ever since, it so highly provok'd the Earl of Gloucester, that he only waited for an opportunity to be revenged of him.

[4] Id. ib. T.W.
The original
of the Quarrel
between the
Earls of Lei-
cester and Glou-
cester.

The Earl of Leicester being sensible enough of the ill Consequences of this Quarrel, engaged the King to interpose his Interest to reconcile it; and also made use of the Mediation of some of the Bishops, (as appears upon * Record) altho' to no purpose; for the Earl of Gloucester knew very well, that what the King did, was only in compli-

* Rot. Pat. 49.
H. 3. M. 13.
N. 54.

And that all Discourse of this Difference between these Earls might (if possible) be stifled, it appears farther on * Record, that he caused the King to write to all the keepers of the Peace, and Sheriffs in Eng-

* Rot. Pat. 49.
H. 3. N. 54.

land, to apprehend such as should offer to say, there was any Dis- cord between those Two Earls; but That had the common Fate of all such Methods, to make what they desired to conceal, to be the more talk'd on. But to return to the History.

[5] On the Morrow after the Feast of St. Hilary (being the 14th of January) there was a great Assembly of the Nobility held at Lon-

[5] T.W. AW.
Sub A. D. 1264.
A great Parlia-
ment in which
the Lords
Marchers are
banish'd into
Ireland.

don, wherein it was decreed, That all the Lords of the Marches of Wales, who had been concern'd in the late Insurrection against Simon Montfort and the Barons, should by Easter following pass into Ire- land, there to remain as it were in Banishment for Three Years, and not to return without the consent of the Governours of the King- dom; but they being forewarn'd, that if they went over, there were designs laid against their Lives, they thought it better to put it off; and thereupon they took shelter in the Lands of the Earl of Gloucester, who then conniv'd at it, beginning now to incline to the Party of the Lords Marchers.

[1] In this Meeting there was also a grievous Accusation brought in the King's Name against Robert de Ferrars, Earl of Derby, (whom [2] Simon Montfort had caused to be committed to Prison in the Tower of London) for divers Mischiefs, and burnings of Towns, which this Earl had committed both before and after the Battel of Lewes; but the truth of it was, that this Earl was looked upon as too powerful, by reason of his great Estate; and having stood in a manner Neuter during the late War, it was thought convenient by the Earl, that he should be hinder'd from joining with the Earl of Gloucester's Party, whom [3] Simon Montfort intended likewise to have surprized and

[1] Id. ib.
The Earl of
Derby is accu-
sed of great
Misdemea-
nors.

[2] A. W.

[3] T. W.

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The Earl of
Gloucester fear-
 ing to be
 clapp'd in Pri-
 son, with-
 draws from
 the Parliament.

[4] A. W.

John Gifford
 being likewise
 impeach'd,
 fearing *Simon*
Montfort's
 Power with-
 draws into the
 Marches of
Wales.

* *Ref. Clauf.*
 49. H. 3. M. 11.
 Printed in *Br.*
Brady's Answ.
 to *Mr. Pety.*
 p. 137.

* *Ib. In See-*
duh. Printed
in cod. p. 140.

[3] Answer
 to *Mr. Pety.*
 p. 144. *Con.*
Hist. p. 649.

clapp'd up in Prison, laying to his Charge the late harbouring of the Lords Marchers in his Territories, being the declar'd Enemies of the said Earl and his Faction; but the Earl of *Gloucester* not being willing to trust himself in his hands, thought it his safest Course to withdraw from this Assembly; and therefore taking with him a small Guard of Men, he retir'd to his strong Holds in the Borders of *Wales*.

[4] Then likewise *John Gifford*, a Baron of great Courage and Reputation, being impeach'd by the Earl of *Leicester*, that contrary to the late *Mile* or Agreement at *Lewes*, he had enter'd upon divers Lands, which belong'd to other Lords in right of their Prisoners; wherefore he fearing the Earl's great Power, tho' he gave Security to appear and Answer his Accusations, yet at last not being willing to trust him, he follow'd his Patron the Earl of *Gloucester*, and retir'd to him into the said Marches, where we shall leave them for a time.

But notwithstanding this great Council of the Nobility that had now met at *London*, *Simon Montfort* and his Faction did not think it safe to rely upon their Authority; and therefore he had also issued out the King's Writs for a Parliament to meet at *Westminster*, on the Octaves of *St. Hilary* (or 22d of *January*) next ensuing, to which were summon'd not only the Archbishops, * Bishops, Earls and Barons, but also all the Abbots and Priors of *England*; and besides these, Writs of Summons were also sent to the Sheriffs of the Counties to elect and return Two Knights for each Shire, and Two Citizens, and as many Burgesses for each City and Borough of *England*, and for each of the *Cinque-Ports* as many Barons, as appears still upon * Record in the *Tower*, which is also taken notice of by the Writer of the *City Annals*, only he mistakes in the number of the Knights of Shires, making them to have been Four instead of Two, and the like he does in the number of the Citizens, Burgesses, and Barons of the *Cinque-Ports* that were summon'd to this Parliament. But this Author is the only one that (as I can find) makes any mention of their appearing at this Parliament, tho' without any Remark of its being a new Institution; which I observe, because these being the first Writs of Summons to the *Commons* that are now extant on the Rolls, [5] therefore *Dr. Brady* will needs infer from hence (tho' without any just grounds) that these were the first Writs of this kind that were ever issued, and that neither Knights of Shires, nor Citizens, nor Burgesses, &c. were ever summon'd to Parliament before this Critical and Rebellious Year; but of this I shall say more in another place, therefore shall here only inquire into the Cause of this great and so general Assembly, which was on Two Accounts; the One to set the Prince at liberty, with the safety of *Simon Montfort*, and those of his Party; the Other to obtain the King's Charter of Pardon and Indemnity for all that had been past.

But the great end of summoning this Parliament was the delivery of the Prince out of Prison where he had now continued above half a Year, which was not well relented, even by some of the Barons themselves; who, tho' they were of the opposite Faction, yet thought it reasonable that he should be set free, since he had only deliver'd himself up at the Battel of *Lewes*, as a Hostage for the performance of the Articles then agreed to by the King, his Father; wherefore, in order to this, the Earl of *Leicester*, and the Lords *Hugh d' Espenser*, and *John*

Fitz-

Pate-John, with the Bishops of *London*, *Worcester*, and *Chichester*, and others their Adherents (who manag'd all things in this Parliament at their pleasure) thought fit to contrive a certain Form of Articles or Conditions for delivering the Prince out of Prison, which, tho' not agreeable either to Law or Justice, yet being reduc'd into Writing, and by him agreed to, as also by the King his Father, the Earls, and all the other Great Men of his Party corroborated with their Seals; which Agreement, tho' seemingly made with his own consent, render'd his Condition almost as bad when he was set free, as whilst he continu'd a Prisoner.

Anna Dug.
MCCLV.
The Prince is restor'd to a seeming Liberty, but upon very hard Terms.

But tho' Dr. *Brady* has not thought fit here to give us the Articles or Conditions upon which the Prince was then deliver'd (or rather from a close Prisoner to be kept in a more free Custody) I shall here recite the Substance of them from the Original * Record in the *Tower*, which I find also enter'd in an antient Manuscript Book of the Laws and Statutes of *England*, in *Bennet-College Library*; and is likewise printed in the *Annals of Waverly*, to which I refer the Reader; as also to the * Appendix to this Volume, where you will find it at large.

* *Rm. Cant. 49.*
H. 3. M. 4.

* *N. 13.*

This Agreement is by way of Charter or Concession from the King himself, beginning thus.

I *Henry*, King of *England*, Lord of *Ireland*, Duke of *Aquitain*, to the Community of *England*, Greeting, &c.

The Form and Substance of the Agreement, or Conditions for the Prince's Liberty.

Then in the Preface he recites the Agreement that had been made after the late hostile Disturbance in the Kingdom, by his own assent, and by the free Will of *Edward* his eldest Son, as also of the Prelates, Earls, Barons, and Commonalty of the Kingdom; and that then for the Peace and Security thereof, the said Lord *Edward*, and *Henry* his Nephew, Son to the King of the *Romans*, had been given as Pledges; and farther, that an Ordinance lately made by the King's own assent, and the free Will of his said Son *Edward*, as also of the said Prelates, Earls, &c. in the Month of *June* last past, being the 48th Year of his Reign, should be for ever inviolably observed; wherefore he now lets the whole * Body of the Kingdom understand, that he had sworn upon the Holy Evangelists, that he would faithfully observe the said Ordinance, and not in anything contradict it; and there was to that end expressly added in the same Oath, that he would not, by reason of what had been done during the time of the late War and Disturbance, accuse or punish any of those who had fought against him, or whom he had defied as Enemies, to wit, the Earls of *Leicester* and *Gloucester*, and their Adherents, as also the Barons and Citizens of *London*, and those of the *Cinque-Ports*; neither would he do them any damage, or permit it to be done by his Officers: and that he had further sworn to observe all those things which had been agreed upon or provided for the delivery of his said Son and Nephew; expressly willing and consenting, that if He himself, or his Son *Edward* should do any thing against the said Ordinance, Promise, or Oath, or disturb the Peace and Tranquility of the Kingdom, or by reason of former Actions done in the time of the War, should do, or cause to be done, any damage to any of those Persons above-mentioned, whom he had formerly defied, it should then be lawful for all those of his

Communitas.

* *Universitatem Vastram.*

King.

Anno Domini
MCCCLV.

Ad Gravamen.

* Considerationem.

Kingdom to rise up against him, and do their utmost endeavour to distress him, so that he would have all and singular Persons obliged to do it by this present Precept or Command, notwithstanding any Fealty or Homage formerly done to him, to pay him their Obedience; but should do all things to distress him, as if they were no ways obliged to him, until such time, as what had been done amiss should be reform'd and restor'd with due satisfaction, according to his said Ordinance and Promise; and this being perform'd, they were then to obey him, as they had done before: but if any Person of the Kingdom should presume to act against the Premises, or should disturb the Peace and Tranquility thereof, or assist either him, his Son *Edward*, or any other, by Aid, Advice, or Counsel, to act against any of the Premises, and that he be thereof Convicted by the * Judgment of this Counsel, and of the Great Men of the Kingdom; it was thereupon agreed, by the unanimous consent of himself and his Son *Edward*, with the Earls, Barons, and Commonalty of the Kingdom, that the Body of such Person might be taken, if it could be found, and if it could not be found, that then he should be Outlawed, but whither he were found or not, he and his Heirs should be for ever disinherited, as if they had committed Felony or Treason: and it was further agreed, by the unanimous Will and Consent of Himself and his Son, and all the rest above-mention'd, that the ancient Charters of common Liberties and Forests, which had been formerly granted to the Community of the Kingdom, and against the Violaters of which, Sentence of *Excommunication* had been denounced by the Pope, at the Request of the King, and the Great Men of the Kingdom, lately assembled at *Worcester*; wherefore the King Wills, that the Charters before unanimously agreed on should be inviolably observed for ever; to the observance of all which, the King here solemnly obliged himself by Oath upon the Holy Evangelists; as also commanded all Justices, Sheriffs, and Bayliffs of the Kingdom, to be bound by the like Oath, so that no Man should obey any Bayliff until he had taken it; and farther, if any should presume to break the said Charters, or Articles, he or they were to be grievously punished by the Judgment of his Court, both for his Perjury, as also for the Sentence of *Excommunication* by him incur'd (all Clerical Privileges being only preserved as it ought); and that all these things should be firmly observed, he farther enjoins the whole Body of the Kingdom, that all and every Person of them should perform and keep all and singular the Premises, and also oblige each other by Oath so to do. In witness of which he transmits the said Ordinances, together with these Letters Patents under his Seal, to be kept for their perpetual Memory in each County, under the Custody of Faithful Men to be chosen for that purpose; and that no Man might pretend Ignorance of them for the future, they were to be proclaim'd in a full County-Court Twice in the Year, once after *Easter*, and again after *Michaelmass*. Also that the Premises might remain firm and unshaken, the Bishops had then thundered out their Sentence of *Excommunication* against all those who should wittingly endeavour to break them, to whose Jurisdiction the King also here willingly submits himself as to the Premises, renouncing all Privileges and Dispensations already obtain'd, or that might be

be

be obtain'd from the Pope to the contrary: In testimony of which he now transmits to them the said Letters Patents, dated at *London*, 14 *Martii*, in the 49th Year of his Reign,

*Anno Dom.
MCCCLXV.*

There is also in the above-cited Manuscript Volume of Laws, a like Charter of Prince *Edward*, to the same effect with this of the Kings, and which being also almost in the very same words, need not to be repeated. I find likewise in the same Book a Writ that was sent down into the Counties with *Magna Charta*, and that of the *Forests*, which were now also confirm'd in the same manner and Form as they were in the Ninth Year of this King's Reign.

There is also a larger Form of this Agreement in the next * Roll, which Dr. *Brady* hath printed in his † Introduction to his *English History*, and is in the *French* of that time; it also recites *verbatim* the Ordinance above mentioned, made the year before for the Government of the Kingdom, and for the better keeping and performance of which, it is also recited, that the ensuing Form of Articles for the deliverance of the Prince, was made and provided, which Articles being to the same effect as those in the above mentioned Charter, and also very long, I shall not take farther notice of them, but refer the curious Reader to the Copy of it, which is printed in the Appendix at the end of this Volume, and where are divers remarkable Clauses in it which are not in the *Latin* Charter; in which I suppose there was no more inserted, than what was absolutely necessary for all the Subjects of the Kingdom to take cognizance of at their peril; only I shall observe, that therein is further contain'd these following Articles.

* Rot. Cart. 49.
H. 3. M. 5.
† P. 32.
A larger Form of this Agreement for the Prince's delivery.

With the particular Articles therein contain'd.

1. First Prince *Edward* was to take care that the Knights or the Military Tenants in the Marches of *Wales* should perform what they had promised; and if they did not, that he would become their Capital Enemy, and compell them to it by force of Arms.

2. He promised that for three years next ensuing, he would not leave the Kingdom without the consent of the King's Council of Barons:

3. That he would neither bring over himself, nor procure to be brought over, any Foreigners into *England*; and that if any came, he, being thereto required by the said Council, would do his utmost to subdue them.

4. That whereas the King had before the Battel of *Lewes* openly * defied the Earls of *Leicester* and *Gloucester*, with their Adherents, therefore all the Freemen of the Kingdom should renew their Oath of Fealty to the King; still saving all the Articles above-mention'd: Besides which, there were also these private ones relating more particularly to the Prince; viz. That he should immediately make over to the Earl of *Leicester* the Castle and Town of *Chester*, together with the County in Fee, as also the Castle of *Pec* and *Newcastle-under-Line*, together with their Appurtenances, in lieu of other Lands in *England*, which the said Earl had made over to him in Fee, near the value of the Lands he had parted with; also the Castle of *Bristol*, with the Town and its Appurtenances, were to remain in the Hands of the Earl, until all these Things were perform'd, who was yet to be answerable to the Prince for the Issues and Profits thereof, (the Charges in keeping the said Castle being deducted;) and this was to

* Desiderunt,
i. e. given up
their Fealties.

be

Anno Dom.
MCCLXV.

* Prodes ho-
mes.

Notwith-
standing the
Agreement
the Prince is
not released
till Two Days
after its Date.

* Rot. Pat. 49.
H. 3. n. 100.
† Rot. Pat. 49.
H. 3. M. 19.
N. 219.

[1] Comp. Hist.
p. 649.

A more par-
ticular Ac-
count of
Prince Ed-
ward's delive-
ry from the
London Annals.

[2] Id. ib.

* Rot. Pat. 49.
H. 3. n. 87.

[3] Id. p. 649.

be done within Two Years ensuing, after which the said Castle and Town, &c. were to be delivered as a Pledge, by the Appointment of the King's Council and of the Good Men of the Kingdom, in the same manner as Five other Castles of the King's were also to be held by those appointed by the * Discreet or Wise Men of the Kingdom: To this Agreement the King and Prince *Edward* his Son, with the Lord *Henry* Son to the King of *Almaine*, the Bishops of *London*, *Worcester*, and *Winchester*, and divers other Bishops, together with the Priors of the Orders of the *Knights-Templars* and *Hospitallers*, as likewise the Mayor of *London*, did put their Seals; This bears date at *Westminster*, in the Parliament at *London*, on the Eighth of *March*, 1264.

Notwithstanding which Agreement, thus made and perfected, Prince *Edward* could not be immediately released; for it seems there was another Treaty about it with the Great Men of that Party, upon *Thursday* (being the Morrow after *Ashwednesday*) when the Discharge from the King to *Henry de Montfort*, the Prince his Keeper for the Receipt of his Body, bears date the Tenth of *March*, as appears by Two several * Records, the former unprinted, but the latter Dr. *Brady* has given us in his † Appendix.

Yet that the Prince was released during this very Parliament (notwithstanding [1] Dr. *Brady's* asserting the contrary) appears from the Date of this very Writ for his Discharge, which is but Two Days after the Charter last mention'd, and was certainly seal'd during the Session of this Parliament, which still continued.

But to put this out of all doubt, the *London Annals* give us a more particular Account of the manner of the Prince's Deliverance out of Prison, relating it to be now done in the great Hall at *Westminster*, where the Prince was deliver'd to the King in the Presence of a great Assembly; after he had seal'd the above-mention'd Agreement, and which being then publickly read, the Bishops, in their *Pontificalibus*, solemnly *Excommunicated* all those that should presume to Act any thing against the Charters of Liberties and Forests; and then for the better securing of the said Agreement, the Lord *Henry*, Son to the King of *Almain*, did, of his own Accord, proffer himself to remain in the Custody of *Henry de Montfort*, as a Hostage, to the Feast of *St. Peter ad Vincula* (being the first of *August*) till it were seen how the Prince would carry himself in respect of the Foreigners who were still expected to invade the Kingdom.

[2] But on the 7th of *March* before this, the Mayor and Aldermen renewed their Oath of Fealty to the King in Person; and on the *Sunday* following, all the Males within the City, of Twelve Years old, took the same Oath before the Aldermen of their several Wards. But to return to our History.

Tho' the Prince was now released out of *Dover-Castle*, he was still but a Prisoner at large, under a Guard, and carried about together with his Father whithersoever the Earl of *Leicester* pleased; and farther, the Castles of *Dover*, *Scarburgh*, *Nottingham*, and *Corse*, were to remain in the hands of the Barons for Five Years, as a Security for themselves, but, as they pretended, for the publick Peace of the Kingdom, as appears by another unprinted * Record, the Contents of which [3] Dr. *Brady* hath also given us.

But

But notwithstanding, these solemn Acts of Agreements and Treaties above-mention'd were but of very short continuance, and indeed lasted no longer than till a fit opportunity was offer'd the King and Prince to break them, which they quickly found by this means; the Earl of *Leicester* was so puffed up, that he and his Sons carried themselves very insolently towards the Earl of *Gloucester*, as you have already heard; but tho' there had been divers Disputes between them, yet they did not break out into any publick Act of Hostility, until upon this Occasion.

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The Two Eldest Sons of *Leicester* had now proclaimed a Tourneament for all the young Nobility of *England* to meet at *Northampton*, Fifteen Days after *Easter*, to shew their Prowess; where, tho' most of the Noblemen of the Kingdom were also to Assemble, yet the Earl of *Gloucester* (who was invited thither) fearing a surprise from *Simon Montfort's* Wiles, excused his non-appearance there, and instead of coming up, as was then expected, he fortified his Castles, and privately confederated with the Barons of the Marches, who were now got again in Arms; which as soon as the Earl of *Leicester* heard, he immediately dismissed the Torneament to make War in earnest: and therefore presently raising all the Forces he could, and [4] taking the King and the Prince along with him, about the end of *April* he marched towards the Borders of *Wales*, against the Earl of *Gloucester* and Lords Marchers, whom he then declared publick Enemies to the Kingdom.

The first Declaration of Hostility between the Earls of *Leicester* and *Gloucester*, and on what occasion.

Gloucester Confederates with the Lords Marchers, against the E. of *Leicester*,

[4] 4W. 2. 18.

[5] So soon as he came to *Gloucester*, (with the King and Prince in his Company) he strongly fortified the City and Castle, because he heard that the Earl thereof, with the Lord *John Gifford*, was then in the Forest of *Dean*, being resolv'd to defend themselves against him and his Accomplises. But whilst the King and *Leicester* continued there, which was Fifteen Days, divers Messengers of Peace pass'd between the Earl of *Gloucester* and *Simon Montfort*; so that at last they agreed to refer their Differences to Four Arbitrators, to wit, *Walter de Cantelupe*, Bishop of *Worcester*; the Lord *Hugh d'Espenser*; *John Fitz-John*; and *William de Munchansie*, by whose Mediation there was an Agreement patched up for the present between them; and I could wish our Author had told us upon what Conditions; but it seems it was not so fixed, that the Earl of *Gloucester* would thereupon trust himself in the other's Power; for all we can find is, that notwithstanding this seeming Reconciliation, the said Earl design'd to have surpriz'd the Earl of *Leicester* by an Ambush (together with the King and Prince) in their March between *Gloucester* and *Hereford*. But the Earl being warned by his Spies of this Stratagem, he easily avoided it, and so they arriv'd safe at *Hereford*; but not long after their coming thither, the Earl of *Gloucester* having now again declar'd himself an open Enemy, and rais'd considerable Forces, possess'd himself of the adjacent Countrey, so that *Simon Montfort* could not depart from *Hereford* with any safety, because the Army he had there with him, was not strong enough to encounter that of his Adversaries in the Field; in this condi-

[5] 1d. 1b. The Earl fortifies *Gloucester* for fear of the Earl of that Place.

The two Earls agree to refer all their Differences to two Arbitrators, by whom an Agreement is made up for the present.

Which yet does not continue.

The Earl of *Gloucester* endeavours notwithstanding to have surpriz'd the E. of *Leicester*, in his march to *Hereford*.

tion things continued till Prince Edward's escape from thence, and his joining himself with the Earl of Gloucester and the Barons of his Party.

The Prince escapes and joins the E. of Gloucester.

[1] Script. Ang. Vol. II. Oxon. p. 585.

A further account of the manner of it.

The Earl of Gloucester is reconciled to the Lord Mortimer, and the manner how it was brought about.

They resolve to set the Prince at liberty.

[2] 11. 11. Who not long after makes his escape from Hereford.

[3] Rot. Cl. 49. H. 3. M. 4. Dors. Vid. Dr. B's Append. N. 221.

Of the manner of which, as also of the Earl of Gloucester's joining with him, I shall give you this short Account from [1] *Walter Hemingford's Chronicle*, which relates, that the Earl of Gloucester being much displeased at the insolent and arbitrary Carriage of the Earl of Leicester and his Sons, and having refused to come to the Torneament at Northampton, (as you have already heard) presently retired to his Castles in Wales; and resolving absolutely to break with him, he sent again to demand those Prisoners of Quality who had fallen to his share at the Battel of Lewes, (of whom the King of the Romans was the chief;) but the Earl utterly refused to send them, answering haughtily, *That it was sufficient that he had saved his Life and Estate for him in that Battel*: which rude Return so highly incensed the Earl of Gloucester, that he was resolved to be revenged of him; wherefore sending forthwith to the Lord Roger Mortimer (who had been always on the King's side) he desired a Conference with him for the benefit of the King and Kingdom; but he doubting some Treachery from him, desired a Hostage, which was presently granted; thereupon meeting together, the Earl made great Complaints against Simon Montfort, protesting, *That he repented he ever had offended the King, and was now resolved to wipe off that Reproach*: Wherefore they sent privately to Robert de Clare, Gloucester's Brother, (who was then seemingly of the Earl of Leicester's Party) to let him know that they Two were now agreed, and resolved to set the Prince free as soon as ever they were able to effect it; also the Lord Mortimer sent privately to Prince Edward a very swift Horse, the better to facilitate his escape.

All things being thus laid, [2] the Prince desired leave from the Earl of Leicester to ride abroad and Air himself, which being granted, and that he had pretty well breathed Two or Three Horses, he mounted that which had been lately sent him by the Lord Mortimer, and when he had got a pretty way from those that were appointed to guard him, he turn'd about to Robert de Rals, and those that accompanied him, and plainly told them, that he had been long enough in their Custody, and therefore now took his leave of them; so laying the Reins on his Horse's Neck, he galloped away from them as hard as he could drive; they followed him with all the speed they could, but without overtaking him; at last seeing some Men that were sent by the Lord Mortimer meet him, to conduct him to the Castle of Wigmore, his Persuers were forced to desist, and return to Hereford, where the Earl of Leicester being highly concerned at his escape, gave them a very bad Reception.

To prevent the ill Consequences of which Accident, on the 30th of May he made the King write [3] Letters to all his Tenants in Capite, as well Archbishops, Bishops, Abbots, Priors, as Earls, Barons,

Barons, Knights, and all others (except those that were of the Party of the Earl of Gloucester) letting them know, that whereas he and certain of his Great Men and Feudataries, sometime since came to *Hereford* to take care of the Peace of those Parts, hoping to have found his Son *Edward* a great and chearful assistant in that business; he, to the contrary, on the *Thursday* in *Whitson-Week*, about the Evening, had made his escape from the Persons that accompanied him, and were his Guard; and this by the contrivance of certain Knights and Esquires that were privy to the Design, and that he went off, (as he certainly believed) to *John de Warren*, and *William de Valence*, and the Barons Marchers, his Rebels and Disturbers of his Peace; he therefore commanded them, by the faithful Homage and Love in which they were bound to him, to come with what hast they could with Horse and Arms, and all their force to *Worcester*, in order to go with him against his Enemies and Rebels. Dated at *Hereford* the 30th of *May*.

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MCCCLXIV.

The E. makes the King give notice of it to the Bishops and Nobility, commanding their speedy attendance.

[4] But not thinking this sufficient, on the Seventh of *June* following, the King also wrote to the Guardians of the Peace, and Sheriffs of every County, to prohibit, by Proclamation, all People of their respective Counties from giving any Aid or Assistance to his Son *Edward*, the Earl of *Gloucester*, or any Rebels of their Confederacy; and that since he had commanded, that all Men should take an Oath to preserve the late Ordinances made at *London*, therefore they should all rise against the said Rebels, as disturbers of the Peace, and transgressors of that Ordinance, and arrest their Bodies, and keep them in safe Custody: these Letters or Writs were directed into the several Counties, by the King, the Earl of *Leicester*, the then Justiciary, and others.

[4] Rot.
Pat. 49. H. 3.
M. 14. Dor.
Dr. B. Appen.
N. 222.
He also writes to all Guardians of the Peace, and Sheriffs, commanding them not to give any Assistance to the Prince and Earl of Gloucester.

[5] Then the Earl of *Leicester*, to engage the Clergy as much as he could in this Quarrel, caused * another Letter to be written in the King's Name to the Bishop of *London*, and the other Bishops of the Province of *Canterbury*, in which they were required to Excommunicate by Name in their several Diocesses, his Contumacious and Rebellious Son, and the other Rebels, as they were then termed, who assisted the Prince. But I do not find that the Bishops obey'd this Command.

[5] Rot.
Pat. 49. H. 3.
M. 13. n. 54.
Another Letter is written to the Bishops, commanding them to Excommunicate the Prince and his Adherents.

And then to secure the City of *London* to the Barons Interest, another Letter was written in the King's Name, directed to the Mayor, Aldermen, Sheriffs, and the whole * Community of *London*, wherein he thanks them for their Fidelity and Constancy to him and his Friends, and desires them to continue therein, and to contribute their utmost assistance to suppress and destroy his Rebels, where-ever, or of what Quality soever they were, and their Adherents, by all ways and means they should think expedient. This was Sign'd by the King, the Earl of *Leicester*, &c. and Dated at *Monmouth*, as were also the former.

Other Letters written to the City to continue firm to the E. of Leicester's Party.

* Communitati.

Anno Dom.
MCCCLXV.

These Letters are not to be found in our printed Historians, but being upon Record, we must own our selves obliged to Dr. Brady's Industry in finding out and collecting them, as also in noting the Rolls where they are to be found: and tho' some of them are of no great consequence, as to the main of the History, yet since they shew us how much the King was then over-aw'd by *Simon Montfort*, and those of his Party, and the great concern they were in for Prince *Edward's* escape, and joining with their Enemies, I have thought fit likewise to take notice of them. But now to return to our History.

[1] W. H.
The Prince is joyfully received by the Lord Mortimer at Wigmore; and thence goes to Ludlow.

[2] T. W.
Where the Prince swears before the E. of Gloucester and others to cause the ancient Laws of the Kingdom to be observ'd, and to do his best to banish all Foreigners from his Father's Councils.

[3] Id. ib.
A great number of Warriours flock in to the prince, who is also join'd by William de Valence and Hugh Bigot.

The Prince having got Worcester hinders the E. of Leicester from passing the Severne.

[4] Id. p. 68.

The Prince takes Gloucester.

[1] So soon as Prince *Edward* had thus given *Simon Montfort* the slip, and was got to the Castle of *Wigmore*, he was there joyfully received by the Lord *Roger Mortimer*, its Owner; and the Day following the Prince went to *Ludlow*, where he met the Earls of *Gloucester* and *Surrey*, and being fully reconciled to them, [2] he solemnly promised and swore, that when by their Assistance he should obtain the Victory over his Enemies, he would cause the antient and approved Laws of the Kingdom to be observed, and would abrogate all the evil Customs which had prevail'd in the Kingdom; and that he would perswade the King his Father to banish all Foreigners from his Councils, and not suffer them to have the Custody of his Castles, nor any share in the Government; whereupon the Earl of *Gloucester* supplied the Prince (being now wholly destitute) with all things necessary for his high Quality, as well as for their present undertaking.

[3] Then there flocked in to Prince *Edward* not only the Lords Marchers, but also a great multitude of Warriours from all Parts of the Kingdom; and *William de Valence* and *Hugh Bigot*, who a little before had Landed in *Pembroke-shire* with a strong Party, now came in to him, whereby his Army was very much augmented: Also *John Gifford*, the Second Man to the Earl of *Gloucester* in Military Affairs, brought in so great a Force both of Horse and Foot, as struck Wonder in their Friends, and a Terror in their Enemies; with which powerful Assistance the Prince and the Barons of his Party presently march'd to *Worcester*, which the Citizens, upon his Arrival, as presently surrender'd to him, without making any Opposition.

They being thus possessed of this Important Place, that so they might hinder the Passage of the Earl of *Leicester*, and his Army, over the River *Severne*, they not only took away all the Ferry-Boats, but also dug deep Holes in the Fords.

[4] In the mean time, the Lords *Robert de Ross*, and *William de Vescy*, had put themselves with some Forces into *Gloucester*, hoping thereby to hold it out against the Prince's Army, but they found themselves miserably mistaken, for the Prince marching thither with all speed, took the Town in Two Days time; the Lords above-mention'd, with all the Garison, betaking themselves to the Castle; which, after Three Weeks Siege, was likewise, for

want

want of Provision surrend'ed, on the 30th of June, upon these honourable Articles, viz. That the Besieged might march out with their Horses and Arms, engaging by Oath, not to take up Arms against the Prince for Forty Days.

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He having thus made himself Master of the Town and Castle, [5] put a strong Garison into both; and then he, together with the Earl of Gloucester, led their Army toward Hereford, with hopes to surprize there the Earl of Leicester, and so to rescue the King out of his Power; but [1] the Earl having had Intelligence of it, would not venture to stay there any longer, but taking the King along with him, retreated to Monmouth, where soon after John Gifford with part of the Army coming before the Town, offered him Battel, but he finding the Place scarce tenable durst not engage him, and so was forc'd to quit that also: Therefore marching from thence he took the Castle of Halks, belonging to the Earl of Gloucester, but he being very quickly at the Heels of him, retook it within Three Days after. In the mean time the Earl of Leicester marching farther into South-Wales, took the Town of Newport, lying near the Sea, and thence sending away to Bristol, order'd all the Ships of Burthen that lay there to be brought to Newport, to carry the King and himself, with all the Army to Bristol; but the Earl of Gloucester having notice of it, sent some light Gallies, very well mann'd to lie at the Mouth of that River; and they meeting with those Vessels that were coming down from Bristol to transport them, took and sunk eleven of them, which utterly broke the Earl of Leicester's Designs, tho' well enough laid; but the rest of the Ships got safe back to Bristol.

Montfort receiving Intelligence of Gloucester's approach quits Hereford, together with the King, and goes to Monmouth, which he is also forc'd to quit.

Leicester takes Newport, and sends to Bristol for Ships to transport himself and his Army, but the Ships are either taken or sunk.

[2] Upon this Success Prince Edward, and the Earl of Gloucester, marched against the Town of Newport, and engaging with Simon Montfort's Forces upon the Bridge leading to the Town, they drove them back into it, and had certainly taken it, had not the Enemies set fire on that end of the Bridge which was in their Power, and thereby prevented it; whereupon the Prince's Men returning to their Camp, and the Earl of Leicester not daring to stay there any longer, [3] he stole away by Night, into the Territories of Llewellyn, Prince of Wales, desiring his Assistance, which he promised him, upon condition that the King would restore him the Inheritance of his Ancestors, which the Earl of Leicester was forced to grant in the King's Name, and sent him a Charter for it under the Great Seal, the Custody whereof was then committed to Peter de Montfort, and R. de Sandwich, Knights, which (says my Author) had been unknown for a long time before; but whither he makes the strangeness of it to lie in its being committed to Lay-men, or else to Commissioners, I will not take upon me to determine: but under pretence of thus restoring Prince Llewellyn's Rights, there were Five strong Castles belonging to the King presently given up, which that Prince caused to be levell'd to the Ground; but the English not being used to the Welsh way of living only upon Flesh and Milk, without any

[2] Id. ib. Prince Edw. and the E. of Gloucester march to Newport, and there engaging Simon Montfort's Forces, make him retire with the King into Wales.

[3] A.W. 219. Where they desire that Prince's Assistance which he promises, and on what Condition.

Whereupon no less than Five strong Castles are deliver'd up to Prince Llewellyn.

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[4] *T.W. A.W.* [4] Whilst the King continued in *Wales*, *Simon Montfort* the Son, in obedience to the King's (or rather to his Father's) Comands, left the Siege of *Pevensey* (in which he had no Success) and return'd to *London*, and there having muster'd up what Forces he could, he came on the 12th of *July* to *Winchester*; But the Citizens denying him entrance he took it by Storm, and then plundering the Town, and killing many of the Jews, he found therein, went from thence to *Oxford*, but the Towns-men there being more wary, received him peaceably: And from thence marched triumphantly to *Northampton*, where, being very confident of his own Strength, he resolved to go on towards *Hereford* to relieve his Father; or else if he could meet the Prince by the way, to give him Battel; in order to which, on the last Day of *July*, *Simon Montfort* arrived at the Town of *Kennelworth*, where he and his Army quarter'd that Night; but *Prince Edward*, who had now pass'd through *Worcester-shire* with his Forces, having Intelligence of it, was resolv'd to try if he could surprize them, before they could have any notice of his coming: wherefore making a speedy March all Night, he came by break of Day to *Kennelworth*, and setting upon *Simon* and his Men (who were then in their Beds, and, as it seems, had no Scouts abroad) he either kill'd or took Prisoners the greatest part of them, the chiefest of whom were the Lord *Robert de Ver*, *William*, Lord *Munchansey*, and *Adam* of *Newmarket*, with many others; but *Simon Montfort* escap'd into the Castle and there staid.

[5] *T.W.* This great Defeat happen'd the First of *August*, and prov'd the Ruine of the Earl of *Leicester* and his Party: For,

His [5] Army not being able to stay any longer in *Hereford-shire*, for want of Forage and Provisions, the Earl resolved to lay hold on this opportunity of the Prince's Absence to pass the *Severne*, which he did, and so march'd towards *Warwick-shire*, to meet him.

to meet and join his Forces to those of his Son *Simon's*, who (as *Anno Dom. MCCCLV.* he heard) was then marching that way towards him, hoping by that means so to shut up the Prince and his Men between his own and his Son's Army, that they should certainly fall into his hands: but that Mischief which he design'd to others fell upon himself; for having no Intelligence of his Son's Misfortune, he [1] came to *Kewsey*, a Mannor of the Bishop of *Worcester's*, and there lay all Night, and the next Morning marched by break of Day to *Evesham*, where, when they came, the King (who was now with him, and whose Name and Authority he made use of) would needs stop there and breakfast, and so make a small halt.

[1] A. W. The Earl with the E. comes to Evesham, and there make a halt.

In the mean while Prince *Edward*, who was marched back with his Army from *Kennelworth* to *Worcester* where (having left his Prisoners in safe Custody) he advanced forwards towards *Evesham*, intending (if he could) to meet with and surprize the Earl of *Leicester*, for he heard he was not then far from that place: wherefore to hinder all Intelligence by the Earl's Spies, he at first made as if he would go towards *Strensham* or *Stafford*, but went not above two or three Miles that way before he changed his course, and so marching all Night, arrived next Morning not far from *Evesham*: [2] And the Earl of *Leicester's* Barber happening to go up into the Tower of the Abbey (where the King and his Lord then were) from thence discover'd the Prince's Army marching in Three Bodies, the First led by himself, the Second by the Earl of *Gloucester*, and the Third by the Lord *Roger Mortimer*; this being told the Earl, he was in hopes at first, that it might be his Son coming to his Assistance; but not long after being assured by their Ensigns that they were the Enemy, the Earl then began to despair, and said, *Lord have Mercy upon our Souls, for our Bodies are theirs*; and since it was now too late to Retreat, he was resolv'd to fight it out, and either Conquer or Die. Then (as [3] the same Author relates) his eldest Son *Henry* desired him not to despair, seeing that the chance of War was doubtful; he answered, *Son, I do not despair, but I fear your own and your Brother's Pride and Presumption have ruined us. Nevertheless, I hope I shall die for the cause of God and Justice.* Upon this all of them arming themselves as fast as they could, marched out of the Town to give them Battel, the King being likewise (tho' unwillingly) made to put on his Armour, and march out against his own Son, at the Head of those that were his Enemies: but when they came out into the open Field, above the Town, the Two Armies met and joined Battel, when at the very first Onset, the *Welsh-men* that were with the Earl of *Leicester* ran all away, many of whom were drown'd in the River *Avon*; nevertheless the Battel was very fierce, and lasted a long time, from about One of the Clock till Night; wherein the Earl (his Forces being overcome) was there Slain, together with many Lords and Noble men, (to wit) *Henry Montfort*, his Son; *Hugh d'Espenser*, the Jurist; *Peter de Montfort*; *William de Mandeville*, *Ralph Basset*, *Roger de St. John*, and many other Knights and Esquires of Note:

In the mean while Prince *Edw.* marches towards the same Place, in hopes to surprize the Earl.

[2] W. H. p. 586. Near which the Prince arrives, without being discovered.

Upon the discovery of the Prince's approach, the Earl begins to despair.

[3] Id. ib.

The Earls Answer to his Son *Henry*.

The E. Arms, and marches out of *Evesham*, against the Prince, and carries the King along with him.

The Battel is begun, in which *Simon Montfort*, with his Son *Henry*, and many other Barons are slain, and their Army totally routed.

there

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there were also taken Prisoners *Guy de Montfort*, the Earl's Third Son, *John Fitz-John*, *Henry de Hastings*, and divers others whose Names 'twere needless here to recite; whilst on the Prince's side there fell no more of Note than One Knight and Two Esquires.

[4] T. W. [4] This Battel was fought near the Town of *Evesham*, on [5] P. 587. the 4th Day of *August*: And [5] *Walter Hemingford* relates, that King *Henry* is King *Henry* being there Wounded in the Shoulder, was like to be killed, had he not cried out, *I am Henry of Winchester, your King, kill me not*; at which *Adam de Montalt* running in, saved him; and the Prince his Son, not being far off, ran to him, and having only begged his Blessing, as being then in great haste, left him to be guarded by several of his Knights, till the Fight was over and the Victory compleated.

[1] M. W. [1] After which the King and the Prince his Son marching back into the Town, left the Bodies of *Simon Montfort* and *Henry* his Son, with *Hugh le Despenser*, to be buried by the Monks of *Evesham*, before the High Altar of that Church; but the Earl's Body was first dismembred, the Head, Arms, Legs, and Privy Parts being cut off: [2] But his Head was sent to the Wife of *Roger Mortimer*, as a Token of the Victory, at which the Monkish Writers of that Time make great Exclamations; for since he paid so great a Deference to the Clergy, no wonder if they looked upon him as a mighty Champion for the Liberties of the Church and Kingdom; and I have seen at the end of an antient Manuscript in the Publick Library at *Cambridge*, after a great many rhyming Verses in his Praise, certain Prayers directed to him as a Saint, for no less did most of the Clergy and Common People of that Age esteem him; insomuch that several Miracles being said to be done at his Tomb, the Pope's Legate by his order forbad that Superstition.

The Annals of *Waverly*, as well as other Writers, also take notice, that about the time of his Death there was a very great Storm of Thunder and Lightning and Rain, attended with a wonderful Darknes, of which there may be made a bad as well as a good Interpretation; but he was certainly a great Pretender to Godliness, and outwardly very strict in Religious Duties, never beginning any Battel without Publick Prayers and Confession, which gained him a great Reputation for Sanctity among the Clergy of that Age: yet notwithstanding all his good Qualities, he was certainly a very ambitious Man, and very ungrateful to his Prince, who had raised him so high from a *French* younger Brother of a small Fortune, that he not only permitted him to marry his Sister, but made him one of the greatest Men of *England*; yet nothing less would satisfy his Ambition, than the Sole Government of the Kingdom. He was also perfidious, as appears by his not standing to the Arbitrement of the King of *France*, which he himself had agreed to; but as a just Reward of his Demerits, he and all his Family perished and came to nought, and that in a few Years. But to return to the Matter from whence we have digressed.

[3] Not

[3] Not long after this Battel a great many of the Barons of *Ireland* came over to the King's Assistance, (to wit) *Maurice Fitz-Ge-*
rard, Maurice Fitz-Maurice, Walter de Burgh, Theobald Botiller,
 and many others, whose Names need not be here set down.

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[3] A. W. P.
 226.

[4] When *Simon Montfort* the Younger heard of the Death of his
 Father and Brother; and the total Rout of their Army, he was ex-
 tremely dismayed; and tho' he would not then surrender the Castle
 of *Kenellworth*, in which he had remain'd ever since his late Defeat,
 [5] yet did he not think it convenient to detain his Uncle the King
 of the *Romans*, and divers other Noblemen, who had been there
 kept Prisoners, any longer in Custody, but set them free without
 any Conditions; hoping (I suppose) by their Mediation to gain
 better Terms from the King, if ever he should be forced to im-
 plore his Mercy: Also the Wife of *Hugh le D'espenser*, who then held
 the Tower of *London* for her Husband, upon the News of his Death
 discharg'd all the Prisoners whom she had there in her Custody (except
 the Earl of *Ferrars*) and she her self retired to her Father the Lord
Philip Basset, there to bewail her Misfortune.

[4] Id. ib.

[5] Id. ib.
 T. W. P. 711.

The Wife of
 Hu. le D'espenser
 discharges
 the Prisoners
 in the Tower.

[1] Then the King left *Evesham*, and went back to *Worcester*,
 where he staid a few Days; and having now regain'd his Liberty,
 whilst he continued there revoked most of the Patents he had been
 obliged to pass whilst he was in the Power of *Simon Montfort*, as being
 made without his Consent. Thus (for instance) we find among
 the Rolls in the Tower, that the Earl of *Leicester* having pass'd a
 Grant of the Treasurership of the Church of *Tork* upon *Almeric de*
Montfort, a Kinsman of his own, the King having now got his Seal
 into his own Hands, revoked that Grant, and bestowed the Place
 upon *Edmund Mortimer*, Brother to the Lord *Roger Mortimer*: This
 * Patent bears Date the Seventh of *August*, at *Worcester*; and may
 serve as a Reason, why so many Writs and Commissions were this
 Year issued out in the King's Name against his own Son, and all his
 Adherents, after his Escape from *Hereford*.

[1] W. H.

The King
 comes to Wor-
 ceſter, and
 there revokes
 the Grants he
 had been
 made to pass
 whilst he was
 in the Custody
 of *Simon*
Montfort.

* Rot. Pat. 49
 Hen. 3. m. 11.
 intus in ſedula
 conſuta.

And it farther appears upon the ſame Roll, that the next Day the
 King (being willing to ſhew Mercy upon Offenders) by the Mediation
 of ſome Biſhops and others, offered to receive the Burgeſſes of *Here-*
ford into his Protection, provided they would pay a ſufficient Fine for
 all their Offences againſt him and his Son *Edward*: Wherefore on the
 Twenty fourth of the ſame Month (as appears by the * Record)
 they were fined at Five hundred and ſixty Marks, which was a great
 Sum in thoſe Days to be paid by ſo ſmall a City.

The King re-
 ceives the
 Burgeſſes of
 Hereford into
 his Protection,
 upon pay-
 ment of a
 Fine.

* Rot. Pat. 49
 H. 3. m. 38.

Theſe Affairs being thus diſpatch'd, [2] the King left *Worcester*,
 and marched to *Wincheſter*, and there held a Parliament, to which
 all the Biſhops and Abbots and Great Men of *England* were ſum-
 mon'd, who had not been engaged in the War againſt him, only
 Four Biſhops were excepted, (that is) the Biſhops of *Lincoln, Lon-*
don, Worcester, and Litchfield, they having been entirely of the Ba-
 ron's Faction.

[2] A. W. G. R.
 The King comes
 to Wincheſter,
 and there
 holds a Parli-
 ament.

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[3] M. W.
The King and
the Nobility
decree, that
the City of
London should
forfeit its Li-
berties.

[3] In this Parliament the King and the Great Men decreed, that the City of *London* should for her Rebellion forfeit all her Liberties, and that the Posts and Chaims therein should be taken away, and the Richer sort of Citizens committed to Prison, which was soon after severely put in execution: But *Will. Rishanger* is certainly mistaken, for he makes these Things to have been actually done now, which were not perform'd till the King's coming to *Windsor*.

* Rot. Pat. 49
H. 3. m. 8.
Drf.

It also appears upon * Record in the *Tower*, that this Parliament gave the King the present Seisin or Possession of all the Rebel's Lands; and he now appointed Two Commissioners in each County, who with the Sheriff were to extend them, and return the Extent, with the Names of the Lands, and their late Owners, to himself at *Westminster*, by the Feast of *St. Edward*, (that is, the Thirteenth of *October*) next ensuing; and they were to appoint Two Collectors in every Hundred, to gather the *Michaelmas*-Rents, and to deliver to the Commissioners a Note what they were, as appears by the Commission it self, bearing Date at *Winchester* the Twenty first of *September*; by which *William Bagot* and *Robert du Grendon* were appointed for the Counties of *Warwick* and *Leicester*: and Commissioners were ordered after the same manner for the rest of the Counties of *England*, whose Names you may find immediately after the Commission it self, in *Dr. Brady's* * Appendix, to which I refer the Reader. [4] But the Doctor is certainly under a Mistake, when he makes these Lands to have been then absolutely bestowed upon the King in this very Parliament; for this Record now cited does not say so much, only that they were to be seized into the King's Hands; but they were not vested in him till the next Session of this Parliament at *Westminster*, as you will see anon.

* N. 213.

[4] Comp. Hist.
p. 653.

[5] A. W.
Prince *Llewellyn* had
newly invaded
Cheshire:

The K. sends
Forces a-
gainst him,
but with ill
Success.

[5] Yet Matters could not be then thoroughly settled, because Prince *Llewellyn* had newly invaded *Cheshire* with a great Army, and had taken and rased the Castle of *Hameclin*; wherefore there being a necessity to send some Forces thither, to stop his further Progress, the Parliament was adjourned to the Feast of *St. Edward* at *Westminster*: then the King sent the Lord *Maurice Fitz-Gerard*, and *Hamond L. Estrange*, against *Llewellyn*, who marching into those Parts, and fighting with him, had but very ill Success, being shamefully put to flight, and many of their Knights and Souldiers slain.

But to return to the Affairs of *England*, from which this Account of the *Welsh* is but a Digression.

[1] Annal. de
Civit. Lond.
The K. comes
to *Windsor*,
and the Citi-
zens of *Lon-
don* get some
Monks to in-
tercede for
them, but in
vain.

[1] So soon as this Session of Parliament was over, about *Michaelmas*, the King removed from *Winchester*, and came to *Windsor* with a great Force, intending (as the Report went) to have destroyed the City of *London*, for her obstinate Rebellion against him; which when the Mayor and Aldermen heard, they were terribly afraid, tho' many of the mad-headed Commoners were for defending the City against the King; yet after several Consultations and Debates, it was at last agreed by the major Part of the Better Sort of Citizens,

Citizens, to get some Religious Persons or Monks (for whom the King had a great Respect) to intercede for them: But all their Intercessions signified nothing, so much was the King at that time incensed against the City, thro' the instigation of some of his Chief Counsellors.

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[2] So that this Course not prevailing, they were at last advised by some of their Friends at Court to pass an Instrument under their Common Seal, whereby they should wholly submit themselves and all they had to the King's Mercy; which being done accordingly, it was forthwith sent to him by Eight Citizens, who had the best Interest at Court; but in their Way thither, they were met by Sir Roger *Leyburn*, who told them, it was the King's Pleasure they should return home, since he was entrusted to deliver them his Majesty's Commands; so going with them till they came pretty near the City, he then left them, and went the nearest Way to the Tower, where he took up his Quarters; but at his departure ordered the Mayor, and all the Principal Citizens, to meet him the next Morning at *Barking-Church*; which Order they punctually obey'd, and then Sir Roger in a long Speech laid before them the Heinousness of their Crime, and the great Intercession that had been made for their Pardon; therefore their only Way to obtain it, was, to send the King their above-mentioned Submission by him, under their Common Seal, which they presently delivered up to him.

[2] *Id. ib.*

The City is forced to seal a Charter to the King under their Seal, whereby they wholly submit themselves to his Mercy.

[3] Then about Six Days after he returned, and meeting them at the same Place, let them know, that the King at the Intercession of their Friends had received their Submission, and as a Tryal of their future Obedience, commanded all their Posts to be pulled up, and the Chains taken away, with which the Ends of their Streets were barricado'd; and that his Majesty's farther Pleasure was, that the Mayor, and about Forty of the Principal Citizens, should come the next day to *Windsor*, and further confirm the said Instrument, and that they should have the King's Safe-Conduct for Four Days, both to go and return, which he then also delivered them under his Seal; upon Confidence of which, the Mayor and Forty of the Chief Citizens went to *Windsor*, but finding the King gone abroad for his Recreation, they staid for his Return: When he came home, tho' he saw them waiting for him, yet he took no notice at all of them, only they were bid to attend: But tho' the King presently commanded, that no Man of what Degree soever should do them any Injury in Word or Deed, yet he sent them word, that he would not speak with them that Night; whereupon they were delivered to the Custody of the Constable of the Castle, who locked them up in a large Tower, where they had hard Fare, and worse Lodging.

[3] *Id. ib.*

The Mayor and Citizens are required to pull up their Posts and Chains.

The Mayor and Forty of the Principal Citizens attend the King at *Windsor*, and are put in Prison, notwithstanding his Safe-Conduct.

[4] Then the next Day they were discharged out of the Castle, and kept by the Constable in several Lodgings in the Town, as he thought fit, except *Thomas Fitz-Thomas* (then Mayor,) *Michael Thony*, *Stephen Buckerell*, *Thomas Pynelston*, and *John de Fleet*, whom, as being Principal Ringleaders of their late Rebellion, he had granted to his Son Prince *Edward*, by whose Order they were

[4] *Id. ib.*

But are all set free, yet kept in Custody in the Town, except the Mayor and Four more.

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kept close Prisoners a long time, (notwithstanding their Safe-Conduct,) till they had paid him sufficient Ransoms for their Lives, Liberties, and Estates: But when the rest of the Citizens heard of this severe Usage, many of the most guilty privately conveyed away their Goods and Persons, and never return'd back any more, which tended much to the City's Impoverishment.

And indeed *Thomas Wikes* here very well observes, that tho' these Citizens had justly deserved the King's Displeasure, yet that it was mean, and unworthy his Character, thus to break the Safe-Conduct and Protection he had so solemnly given them, and without which they would never have appear'd before him: Nor can I see any Excuse could be made for these Proceedings, unless that they were only in pursuance of the late Ordinance of Parliament at *Winchester*, with which the King might say, he had no Power to dispense.

The King having seized the Liberties of the City, makes several Noblemen Keepers of it.

* Rot. Pat. 49
H. 3. n. 22. Vid.
Dr. B's Append.
n. 224.

And I suppose it was during this Interval, that the King whilest he was at *Windsor*, seized all the City-Liberties, and in stead of a Mayor, appointed *Humphrey de Bohun* Earl of *Hereford*, *John de Baliol*, *Roger de Leyburn*, and *Roger Walerand*, Guardians of the City, by his Writ (still upon * Record) directed to them, farther reciting, That whereas the Mayor, Citizens, and whole Community of the City aforesaid, had submitted themselves both as to their Lives and Limbs, as well as their Lands, Tenements, and Estates, to the King's Mercy, therefore they were to cause Proclamation to be made, that his Peace should be firmly kept in the City and Parts adjoining: Dated at *Windsor* the Sixth of *October*.

* Rot. Pat. 49
H. 3. n. 8. id.
Append. n. 225.
And appoints
Phil. de Covel
to keep the
Sheriff's
Court.

[5] *Annales
de Hildebr.
in Bibl. Bol.
NE. n. 3. 19.
[1] T. W.*

The K. comes
to Westminster,
keeps the
Feast of St.
Edward, and
then the Par-
liament meets
again.

[2] M. W.
The Estates
of the Rebel-
lious Barons
being given
to the King,
he bestows
them on those
that had ser-
ved him.
Yet some are
admitted to
compound.

The King then issued forth another * Writ of the same Date, whereby he commands those who were to appear at the County-Court for *Middlesex*, to appear before and obey *Philip de Covel*, whom he then appointed Sheriff, and who was to hold the Court that Day in the Record above-mentioned.

[5] When the King had thus humbled the City, he went to his Palace of *Westminster*, [1] and there celebrated the Feast of St. *Edward*, at which he appearing among his Nobility in Majestick State, seemed to have recovered that Royal Splendour which had been so long eclipsed: So soon as the Festival Solemnity was over, the Parliament, which was adjourned hither from *Winchester*, was again assembled, and lasted Eight Days, where the King and the Great Men treated of the Affairs of the Kingdom; and one of the Chief Things they then did was, [2] to pass Sentence of Disherison and Forfeiture of Estate upon all the King's Enemies in the late Rebellion; whose Lands being now given to Him, he presently bestowed them on those who had served him faithfully in this War, tho' this was, not long after, the Cause of a new Rebellion, as you will find anon: yet however, some of these disinherited Noblemen were now admitted to redeem their Estates for Money; among whom was *Robert Ferrars* Earl of *Derby* and *Leicester*, who was then restored

restored upon certain Conditions, which he never perform'd; whereof it seems this was one, That if ever he again fell off from his Allegiance to the King, he should be depriv'd of his Earldoms; which was afterwards put in Execution against him for another Rebellion, as you will see hereafter.

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These Affairs being thus dispatch'd, the King, by Commission (still upon * Record) committed the Custody of the City, and Tower of London, to Sir Hugh Fitz-Otto during pleasure, he answering the Profits of them to the Exchequer, and Sir Roger Leyburn (one of her former Guardians) was ordered to deliver them to him; and the Citizens and Community of London were commanded to be answerable, and submit to this Fitz-Otto, in all things relating to his Office. This new Guardian (according to the City [3] Annals) appointed Two Citizens in whom he could confide to act as Bailiffs under him.

** Rot. Pat. 49
H. 3. m. 4.
The K. commits the Custody of the City & Tower to Sir Hugh Fitz-Otto, &c.
[3] Annal. de London. ib.*

[4] After which the King began to act more severely; and bestowed upon his Favourites the Houses and Goods of about Sixty principal Citizens, who were fain to compound for them with those to whom they were granted; then the King took pledges of the best Men's Sons in the City, for their Father's peaceable behaviour; and these being put into the Tower, were there kept at their Parent's Charge; but after great Suit made to the King, he discharged all the rest of the Citizens, who were under the Custody of the Constable of Windsor-Castle, except Four of the Richest and most notorious Offenders, who still remain'd in Prison.

*[4] Id. ib.
The King bestows the Estates of 60 of the principal Citizens upon his Favourites.*

[5] Then after fresh Intercessions on the City's behalf, to know His Majesty's pleasure, what Fine he expected for their Offences; he demanded no less than Forty Thousand Pounds, and then fell to Fifty Thousand Marks; but upon the Citie's humble Remonstrance, that it was the poorer sort of Citizens who had been the chiefest Offenders, and had spoil'd and plunder'd the richer; and that they had also received great Losses from the Pyrates of the Cinque-Pores, during these Troubles, they obtained his gracious Favour and Pity.

*[5] Id. ib.
The King demands a Fine of 50000 Marks of the Citizens for their Offences.*

[1] But whilst this Affair was depending, on the 6th of December, the King at his going from Westminster to Northampton (upon an occasion of which you will hear more by and by) committed the Government of the City to Sir John de Linde, Knight, and Master John Walden, Clerk, who were to be Guardians or Seneschals both of the City and Tower; and the Day following the King's Council sent for Four and Twenty of the most notable Men of the City, who when they appear'd before them at Westminster, they were inform'd, that it was the King's Pleasure, that they, under the said Seneschals, should see Peace and good Order kept in the City; and for this they took an Oath before the Council. But to return to more publick Affairs.

*[1] Id. ib.
The K. commits the Government of the City to Sir John Linde and Mr. John Walden, and under them to 24 of the principal Citizens.*

[2] Some

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[2] T.W. p. 72.
The main
Tower of Do-
ver-Castle be-
ing surprized
by the Prison-
ers, P. Edward
goes to their
Relief, where-
upon the Ca-
stle is surren-
der'd.

The Countess
of Leicester
has leave to
go over into
France.

[2] Some time after the Parliament broke up, the King had Intelligence that Fourteen Gentlemen, who were Prisoners in the Castle of *Dover*, by the means of Two of their Keepers of Confederacy with them, having surpriz'd the main Tower of that Castle, resolutely defended it against the Garison; whereupon Prince *Edward* presently marched down to the Relief of those Gentlemen who adhered to him in the said Castle; and then the Besieged finding themselves Attack'd by those within, as well as the Prince's Forces without, thought best to surrender it upon these Conditions; That they might march out with Horse and Arms, their Lives and Liberties being saved. In this Castle was also taken the Countess Dowager of *Leicester*, the King's Sister, and Widow of *Simon Montfort*, who being extreamly Mortified by the late fatal Losses of both her Husband and Son, had leave to pass over into *France*, where she spent the rest of her Days in a Monastery.

[3] Id. ib.
The Queen
returns into
England, and
is met by the
King at Can-
terbury.

[3] Not long after this, about *All-holland-tide*, Queen *Eleanor*, and her Son Earl *Edmund*, who had been Two Years beyond Sea, Landed at *Dover* with *Ottobon* the Pope's Legate, and were met by the King at *Canterbury*, the King of the *Romans*; and many Earls and Barons attending them thither, to Welcome them; and presently after they all return'd to *London*, where they pass'd some Weeks with as much Satisfaction as the unquietness of the Time would permit: But they were soon disturbed on this occasion.

[4] Id. ib. A.W.
Simon Montfort
leaves Kenell-
worth Castle,
and retires to
the Isle of Ax-
holme, where
many of the
Disinherited
Barons resort
to him.
Against
whom the
Prince mar-
ches with a
strong Force,
and besieges
them in the
Isle, till they
were forced
to surrender
it.

[4] About the end of *November*, young *Simon Montfort*, who still kept the Castle of *Kenellworth*, fearing a speedy and hazardous Siege, thought it the safest course to quit that Place; wherefore leaving a strong Garison in it, and taking along with him Two Barons, *John d' Ayvil*, and *Baldwin Wake*, with a strong Body of Horse and Foot, he marched from thence (resolved to make some fresh Disturbance) into the Isle of *Axholme* in *Lincoln-shire*, which being almost surrounded with Water, he easily fortify'd all the Avenues to it, and no sooner was he there, but many of the disinherited Barons resorted to him: So soon as the King heard of it, he left *London*, (as you have already heard) and went to *Northampton*, where he muster'd up a sufficient Army, which he presently sent into those Parts, under the Command of his Son Prince *Edward*, who closely besieged his Cousin *Simon* in that Isle till after *Christmas*, and then he was forced to surrender himself, as you will find hereafter.

[5] A.W.
The Inhabi-
tants of the
Cinque-Ports
again renew
the War.

[5] I have nothing more to add concerning Civil Matters, but that the Inhabitants of the *Cinque-Ports* were provoked at the late ill Treatment of the *Londoners*, as also because Prince *Edward* had taken and hanged some of the Townsfolk of *Winchelsea*; whereupon the rest, together with those of the other Ports, again renew'd the War, and setting forth a Fleet, sail'd to *Portsmouth* about the end of *November*, and not only took that Town, but burnt it to the Ground, and besides this, did a great many other Mischiefs both by Sea and Land.

[1] As

[1] As for Ecclesiastical Affairs, this Year affords not many; only *Ottobon* the Pope's Legate, immediately after his Arrival, summoned a Synod of all the Clergy at *Westminster*, where he solemnly declared *Simon Montfort*, late Earl of *Leicester*, and all his Adherents *excommunicated*, as well those that were alive, as those that were dead: Notwithstanding which, the Monkish Writers of these Times look'd upon this Man as a Saint, and suppose many Miracles to have been wrought at his Tomb: So credulous is Superstition, join'd with a high Opinion of those whose Actions their Party admire and cry up for meritorious.

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MCCCLXV.
[1] M. W.
The Pope's Legate holds a Synod, where he excommunicates the late Earl of Leicester, and all his Adherents.

This Year affords very little of Foreign Matters worth our noting, only that Pope *Clement* the Fourth finding the Affairs of *England* in great Confusion, and that King *Henry* was never like to assist him in the Conquest of the Kingdom of *Naples* and *Sicily*, he issued out his Bull, whereby he annul'd the Grant made of that Kingdom by Pope *Innocent* his Predecessor, to *Edmund* the King's Second Son, (as you have already heard) upon pretence that the Conditions thereof were not duly observed on the King's Part: But the true Reason was, that the Pope had newly conferr'd this Kingdom upon *Charles* Duke of *Anjou*, and Earl of *Provence*.

* See it at large in D'acherie's *Spicilegium*, Tom. 9. p. 207.

The King and Queen continued still at *Northampton*, where they kept their *Christmases*, together with the King of *Almain*, the Legate, and a great number of Noblemen; in which Assembly it is most likely (as being a Great Council of the Barons) [3] was made this temporary * Ordinance, That in every County of *England* a Captain should be maintained at the King's Charge, who, with the Assistance of the Sheriff, should command the Forces or Militia of the County, to restrain the Violence of Robbers and Thieves, with which the Nation, ever since the late Wars, was then very much infested.

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MCCCLXVI.
[2] G. R.
A Great Council at Northampton, where is made an Ordinance against Thieves.

[4] But to give the remaining Particulars of the Rebels in the Isle of *Axholme*; where as soon as Prince *Edward* arrived, by the means of several Bridges of Timber laid from the main Land into that Isle, he so straitned *Simon Montfort* and his Accomplices of Provisions, that they were at last forced Three Days after *Christmases*, to surrender the Place, upon these Conditions: That he and his Accomplices then in the Isle of *Axholme*, [5] should submit themselves and stand to the Judgment of the King of the *Romans*, and his Nephew Prince *Edward*, so that whatever they Two should determine concerning them, should be inviolably observed: (To whom *William Rishanger* also adds the Pope's Legate, and the Lord *Philip Basset*.) Yet still saving to himself and his Adherents their Lives and Limbs, and also excepting Perpetual Imprisonment. Then *Simon Montfort* was brought by Prince *Edward* to *Northampton*, and there presented to the King, his Uncle King *Richard* interceding for him, and telling his Brother,

[3] M. W.
* Note, Matt. Westm. relates this Law to have been made at that Place; but that could not be, for the Reason already given.
[4] T. W. A. W.
Simon Montfort and his Accomplices in the Isle of Axholme surrender themselves, and on what Terms.
[5] T. W. p. 73.
Si. Montfort is brought to the King.
K. Richard is vain intercedes for his that Pardon.

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MCCLXVI.

that upon the News of the Death of *Simon Montfort* his Father, he had been murdered by those who then kept him Prisoner, had he not been saved by this *Simon* his Nephew; upon which Consideration he was civilly treated by the King, and might soon have regained his Favour, had it not been for the Hatred of the Earl of *Gloucester*, and some other of the Barons, his Enemies. [1] But at last it was agreed, that *Simon* should deliver up the Castle of *Kenellworth* to the King, and depart the Kingdom, and receive out of the Exchequer every Year Five hundred Marks, whilst he remain'd in Banishment: but those within the Castle not liking these Conditions, would neither yield it to the King nor to *Simon*, but said, they received not the Custody of it from him, but from the Countess his Mother, and would surrender it to none but her self: And on that Pretence they held that Castle near a Year longer, against all the Forces the King could bring against it. [2] But as for the rest of the Noblemen and Gentlemen who were in the Isle of *Axholme* with *Simon Montfort*, upon their taking an Oath never more to bear Arms against the King, they were set at Liberty, tho' many of them did not long observe it.

[1] A.W.W.R.
He consents
to deliver up
the Castle of
Kenellworth,
but it is refused
by those
that kept it.

[2] M.W.

[3] Annal. de
London.

Annal. de
Hide.

The Citizens
of London are
pardon'd by a
Charter, and
on what
Terms.

I shall now give you an Account of the Conclusion of the King's Displeasure against the City of *London*: [3] Whilst the King continued at *Northampton*, not long before *Christmas*, the Citizens, by the Intercession of the Queen and the Pope's Legate, compounded with the King, upon their obliging themselves to pay him the Sum of Twenty thousand Marks, for a full Remission and Pardon of all their Treasons and Misdemeanors; reciting, That whereas they had made a Fine of Twenty thousand Marks for their said Offences towards him, his Queen, King *Richard* his Brother, and his Son *Edward*, therefore the King gave them leave again to receive the Rents of their Lands and Tenements, within the City and without, due from *Christmas* last past; and also granted that they should have the Goods and Chattels of such Malefactors as had been against Himself, or his Son *Edward*, in the late War, and had been or were to be indicted; except the Goods and Chattels of those Persons (already mentioned) whom he had given to his Son *Edward*, with divers other Exceptions, needless here to be repeated: And then He further granted to the Citizens Liberty to Trade by Land or by Sea, as freely as they had done in former Times, discharging them from all Custom, Toll, &c. until the State of the City should fully be settled by his Council; and farther ordered, that no Citizens who in the late Troubles had notoriously appeared to have been Enemies to himself or Son, for the future should abide or be conversant in the City. This Pardon is dated at *Northampton*, the Tenth of *January*, as remains upon * *Record in the Tower*, in a Schedule fastned to the Roll, the Original of which is in the Custody of the City.

* *Rec. Pat. 50*
H. 3. M. 35.

Dr. Brady

Dr. Brady hath given us somewhat a larger Abstract of this Pardon and Restitution, which the Reader may consult if he pleases; and at the end of it there follows the King's Order to *John Walerand* and *John de la Lind*, his Guardians of the City of *London*, reciting, that whereas he had received into his Peace (or Favour) the Citizens of *London*, according to a Form granted in his said Letters Patents, that they should therefore release the Pledges or Security of the Citizens whom they had in their Custody, and permit them to go whither they would, except those before excepted. The like Letters were directed to the Constable of *Rochester Castle*, with the same *Teste*, viz. the King at *Northampton*, (dated the 11th of *January*.)

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The Guardians of the City are order'd to release their Pledges.

These Records will serve to confute a great Error in *Mat. Westminster*, who will needs persuade us that the King kept his *Christmas* this Year at that Place which bore this Author's name; and that there also the King held a Parliament, which is likewise a mistake.

[3] The King's Affairs being now pretty well settled, he return'd to *London* a little before *Lent*, bringing *Simon Montfort* his Nephew, as a Prisoner at large, along with him, who presently after, either not liking the Conditions upon which he was to be set free (one of which was, that he should take an Oath not to act any thing during his Banishment, against the King) and fearing lest he should be perpetually imprisoned, stole away with divers of his Party, and going down to *Winchelsea*, there joined himself with a great many Privateers, belonging to the *Cinque-Ports*, who expected his coming; and then going to Sea with them, he lived there a long time as a Pirate. But when the King heard of *Simon's* departure, about the end of *February*, or beginning of *March*, he sent down Prince *Edward* with a strong Party to reduce the Rebels of the *Cinque-Ports*; who coming to *Winchelsea*, and assaulting the Town, they had a sharp conflict in the Streets, where some were killed, and many more driven into the Sea; and *Henry de Pehan* their Captain being taken, the Prince would have hanged him, had not the E. of *Gloucester* dissuaded him from it; which Clemency met with so good Success, that not long after all the *Cinque-Ports* came in; and made their Peace upon Condition, that they should enjoy all their Liberties and Customs contained in their Antient Charters, without being disinherited, or making any restitution for the damages they had done: which shews what a great Power those Ports had in that Age, in Men and Shipping.

[3] T.W. A.W.
The K. returns to London, and brings Simon Montfort with him, who immediately makes his Escape.

And joins with the privateers of the Cinque-Ports.

P. Edward is sent down to reduce those Rebels.

I find nothing else considerable done by the King this Year, in favour of the late disinherited Noblemen and Gentlemen, but that he now issued out a safe Conduct, whereby all the disinherited (for by that name all the rebellious Barons, and their Confederates, were known and distinguished) had time allowed them to come to the King until *Easter*, to treat with him, and to return without Injury to the Places from whence they came; this is upon * Record, and bears date at *Westminster* the 11th of *February*: but what Effect it had upon these Outlaw'd Gentlemen, I do not find, tho I suppose they did not approve of the Terms upon which they were to be restored, or else so many of them would not have continued in Arms in divers Parts of *England*.

* Pat. 30. H. 3.
M. 9. Dorf.

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*Rot. Pat. 50.

H. 3. m. 24.

The K. orders

the Tenth

formerly gi-

ven by the

Clergy, to

be paid in to

certain Bps.

† Vid. Claus.

48. H. 3. M. 3.

Dors.

Not long after this the King wrote to the Bishops, and all other Prelates, a Letter (found upon Record) directed to all the Abbots, Priors, &c. of England, reciting, that when he was in the Custody of *Simon Montfort*, they had collected a Tenth of all the Church Revenues in England, for one Year, for the Defence of the Kingdom and Church of England, (as was then pretended) and he now being willing it should be expended for the true Defence and Profit of both, commanded them to pay the said Tenths so collected, to the Bishops of *† Bath* and *Litchfield* appointed Receivers of it by himself, and *Ottobon* the Legate, according to the Form of the Mandate of the said Legate to them directed, dated at *Westminster* the 15th of *March*.

[4] I.W.G.R.

The Rebels in

Kenelworth

Castle sally

out, and

plunder the

Country, and

cut off the

Hand of the

K's Messenger.

† Claus. 50.

H. 3. M. 5.

Dors.

The K. sum-

mons all that

own Ser-

vants to meet

him at *Oxford*,

to march a-

gainst *Kenel-*

worth Castle.

[4] In the mean time the Rebels that were in *Kenelworth* Castle, made it their business to sally out, and plunder the adjacent Countries, thereby storing it so well with all sorts of Provisions, that it was thought able to hold out for a long time; and they grew so insolent upon it, that in contempt of the King's Authority, they cut off the Hand of his Herald or Messenger, whom he had sent into the Castle to summon them to surrender it, and so sent him back in that woful Condition: wherefore the King being highly provoked with this Barbarity, commanded by his Writ (still upon Record) that all the Sheriffs of England should make Proclamation in their several Counties, and all Market Towns, that all who owed him Service should personally appear with Horse and Arms; and besides their said Service, they should meet him at *Oxford* with all the Force they could raise, within three Weeks after *Easter*, to go along with him against his Enemies and Rebels in *Kenelworth* Castle; and ordered Watches to be set in Towns and Burghs of every Country. The rest being of no great Moment, I omit. This bears date at *Westminster* the 15th of *March*.

[5] A. W.

The K. comes

to *Oxford*, and

marches from

thence to be-

siege that

Castle.

[1] Id. ib. W. H.

The City of

Lincoln is sur-

prized, but re-

taken by P.

Edward.

[5] About the middle of *April*, the King came to *Oxford* with a great Army, and lodged in the Castle, and after about a Week's stay there, marched (with the Forces that then met him) to *Northampton*, in order to besiege *Kenelworth* Castle; [1] yet the King did not go thither presently, but continuing some time at *Northampton*, sent his Son Prince *Edward* to reduce the City of *Lincoln*, which had been lately surprized and plunder'd by some of those Rebellious Barons, who had formerly taken the Isle of *Asholme*; but so soon as the Prince approached the City, the Rebels quitted it, and for a time dispersed themselves into other Places, tho before the end of Autumn they again rallied, and seized the Isle of *Ely*, as you will find anon.

[1] Id. ib. W. H.

A fresh Re-

bellion breaks

out, which

hinders the

K. from be-

sieging *Kenel-*

worth Castle.

[5] The E.

Ferrars, and

some other

Noblemen be-

gin another

Rebellion.

But in the mean time a fresh Rebellion broke out in the [2] North Parts of England, which for a while diverted the King from marching against *Kenelworth* Castle. For about the end of *April*, or beginning of *May*, *Robert* Earl of *Ferrars*, who had been lately set at Liberty by the King, and was to have compounded for his Estate, upon the payment of a great sum of Money (hoping it seems to better his Condition) began a fresh Rebellion, and joining with two other Noblemen, *Baldwin Wake*, and *John Daywill*, with a great number of other Barons and Knights, they again took up Arms, and fell to plunder and spoil the North-West Counties, and settled their Quarters in a great Wood or Forest in those parts, called *Suffeld Frith*;

Friſh; which the King hearing of, reſolved to put a ſtop to their Inſolence: but his Son, the Prince, being then otherwiſe imploy'd, he ſent the Lord *Henry*, eldeſt Son to the King of the *Romans*, to command in chief over a ſtrong body of Noblemen and Gentlemen, who marching down into thoſe Parts, [4] came on *Whitſon-eve* to the Town of *Cheſterfield* in *Derbyſhire*, where they ſurprized the Earl *Ferrars*, and the other Noblemen abovementioned (who were then in Bed) but they ſtraight getting up, made the beſt Reſiſtance they could, which occaſioned a very ſharp Fight for a time in the Town; but at laſt the King's Forces obtain'd the Victory, and killing divers of them, took moſt of the reſt Priſoners: but the Earl made a ſhift to get away and hide himſelf in a Church; yet being ſoon after diſcovered there by a Woman, he was likewiſe taken Priſoner, and immediately ſent to be kept in *Windsor* Caſtle: But *John Dayvill* and *Baldwin Wake*, who were of his Party, with ſome others, eſcaped, and got into the Iſle of *Ely*, there to do more Miſchief, as you will hear anon.

Again, another Knight called *Adam de Gurdun*, had about the ſame time taken up Arms in *Hampſhire*, and lay in certain Woods between *Aulton* and *Farnham*, where with a great number of Men that followed him, he ſpoiled and plunder'd the Country; but the Prince arriving there, and with his Forces ſcowering the ſaid Wood, about Sun-ſet found *Adam* with his Party juſt going to take up their Quarters: but here the Prince had like to have been in no ſmall Danger, for leaping over a Ditch or Trench (which encompassed the Rebels Camp) to make his way to them, and his Forces not being able preſently to follow him, he was neceſſitated for ſome time to engage hand to hand with this *Adam* their Leader, who was a ſtrong and valiant Warriour: but at length Prince *Edward* got the better of him, and wounded him; and by that time the Prince's Men came in to his Aſſiſtance, quite routed the Rebels, and took *Adam* Priſoner, and ſent him, by the Prince's Order, in Chains to *Windsor*-Caſtle, there to keep Earl *Ferrars* Company.

But *Matt. Weſtmiſter* and *Nicholas Trivet*, relate it ſomewhat otherwiſe, and ſay, that tho' the Prince cauſed all the reſt of the Rebels he then took to be hanged, yet being in love with this *Adam's* Valour, he order'd his Wounds to be dress'd; and preſenting him that Night to the Queen his Mother at *Guilford*, not only obtain'd his Pardon, but got him reſtored to his Inheritance, and then took him into his particular Favour, who ever after ſerved him faithfully; which was certainly a very remarkable Act of Generoſity in this Brave Prince.

[5] But ſomewhat to abate the Joy of theſe Victories, about the ſame time the *Welſh* gain'd a great Victory over the Lord *Roger Mortimer*, ſo that his Army being almoſt wholly cut off, he himſelf hardly eſcaped.

[1] Whiſt theſe things were tranſacting, Earl *Edmund* the King's younger Son, was ſent with a ſtrong Party to *Warwick*, to reſtrain the Excuſions and plunderings of thoſe that kept the Caſtle of *Kenelworth*; and not long after the King himſelf followed with his Army, and remained at *Warwick* for ſome days, expecting more Recruits, together with his Engines of Battery. But the Annals of

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[4] Id. ib. W. H.
Henry, Son to
K. Richard,
ſurprizes the
E. of Ferrars,
and puts his
Forces to
flight, and he
himſelf is ta-
ken Priſoner.

Prince Ed-
ward marches
againſt Adam
de Gurdun.

Fights with
him, and
takes him Pri-
ſoner.

Bar the Prince
gets his Par-
don, and re-
ſtores him to
his Inheri-
tance.

[5] A. W.

[1] T. W.
The K's 2d
Son is ſent to
Warwick, to
reſtrain the
Excuſions of
the Garriſon
in *Kenelworth*
Caſtle.

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Waverly relate (and that with greater probability) that before *Midsummer* the King sent his Son the Prince before, with a great part of the Army from *Warwick* towards *Kenelworth*, in order to besiege it, but that the Garison fallying out, fell upon the Prince's Forces with such Violence, that they beat them back as far as *Warwick*; [2] however it is certain, that presently after, the King, attended by all the great Men of the Kingdom, (who owed him Knight's Service, by reason of their Fees) being arrived in Person, began to lay close Siege to the Castle on *Midsummer-Eve*, and batter'd it with all sorts of warlike Engines: but it was altogether in vain; for the Rebels being well victualled, trusted to the strength of the Place, and defended it so obstinately, that a great many Men were killed on both sides. But when the Siege had continued till towards the end of *August*, *Ottobon*, the Pope's Legate, with the Archbishop of *Canterbury*, and Bishop of *London*, went down thither to try if they could propose any terms of Peace between the King and those besieged, but it was all to no purpose; for they expecting a speedy and powerful Relief under *Simon de Montfort* from beyond Sea, would hearken to no reasonable Conditions; wherefore the Legate *excommunicated* all those that held the Castle, together with their Adherents in other Places. So that all the King's Forces could then do, was to keep it close block'd up, in hopes they might be forced to surrender it at last for want of Provisions.

The Castle being besieged by the King, is defended by the Rebels with great obstinacy.

The Pope's Legate, ABp of *Canterbury*, &c. go down to try if they can make a Peace, but in vain; whereupon the Castle is closely blockt up.

[3] *Id. ib. W. H.*

John Dayville, and divers others, seize the Isle of *Ely*, and fallying out, spoil the adjacent Counties.

[3] In the mean while *Baldwin Wake* and *John Dayville*, with the rest of those Rebels who had fled from the Battel of *Chesterfield*, encreasing their Forces, had about *Michaelmas* seized upon the Isle of *Ely*, (the Inhabitants being too weak to resist them) and there raised a dangerous Rebellion; then fallying out from thence, they spoiled the adjacent Counties of *Norfolk*, *Suffolk*, and *Cambridgeshire*, of all their Goods and Provisions, which they carried away with them into the Isle: and besides this, they plunder'd divers other Towns, not sparing the Ornaments of the Churches.

But the King and Prince were at the same time taken up with the Siege of the Castle of *Kenelworth*, tho they could not reduce it till near half a Year after: And the King being now resolved to settle the Kingdom by the most healing Methods he could, at the Request of *Ottobon* the Pope's Legate, and others of his own Bishops and Nobility, [4] He summoned a Parliament to meet at *Kenelworth* Town, on the 24th of *August* following, and there it was agreed by the common Consent of the Bishops, Abbots, Priors, Earls, Barons, and all others then present, that six Persons, *viz.* the Bishop of *Exeter*, the Bishop of *Bathe*, the Earl of *Worcester*, Sir *Alan de la Zouche*, Sir *Roger Sommersy*, and Sir *Robert Walerand*, should be appointed on their Oaths to choose six others, as well Bishops as great Men, whom they judged the least Partial, and of the greatest Experience, who together (according to their best understanding) were to do what they should think most proper for the Security and Peace of the Kingdom. To those twelve were to be committed the Case and Facts of all the disinherited Noblemen, with full Power from the King, and great Men of the Kingdom, to determine and conclude concerning them; and if there arose any difference between the said twelve, then that Opinion was

[4] *A. W. M. W.*
The K. holds a Parliament at *Kenelworth*.

Whereupon twelve Bps and Noblemen are appointed to make a Decree concerning the disinherited Barons.

to stand good and firm, which received the Assent and Approbation of the Legate and the Lord Henry, Son to Richard King of Almain; and these together were to settle all matters by the Feast of All-Saints next ensuing.

The Preface of which Sentence or Decree, called in Latin *Dictum de Kenelworth*, begins thus: "In the name of the Holy and Undivided Trinity, Amen, to the Honour of God, &c." Then follow the Names of the composers of it, viz. William Bishop of Exon, William Bishop of Bath and Wells, Henry Bishop of Worcester, Thomas Bishop of St. Davids, Gilbert de Clare Earl of Gloucester, Humphrey Earl of Hereford, Philip Basset, John Bayloffe, Robert Walop, Alein de la Zouche, Roger de Somery, and Warryn de Bassynghurne, together with the Pope's Legate, and the abovesaid Henry of Almain, who were appointed to provide for the good Estate of the Realm, and namely for the Redemption of certain Persons disinherited; having thereunto full Power from the King, and the other Barons, and Counsellors, according to the Form written and confirmed in the general and special Letters of the said King, and as the other aforementioned had ordered and agreed in manner following, &c.

Anno Domini
MCCLXVII.

They draw
up the Decree,
called *Dictum
de Kenelworth*.

From whence we may observe, that this * Decree or Statute derives its Authority, not only from the King, but also from his Barons and Counsellors in Parliament; and is said to be a Statute, being entitled *Dictum de Kenelworth*; that is, the Award or Agreement made at Kenelworth by the King, his Noblemen and Commons.

* *Dictum*.
Vide Rastal's
Statutes, Vol. B.
P. 13.

It being intended to better the Condition of the Disinherited, and to turn the Forfeitures, and loss of their Estates, into a Composition in Money for them; therefore the Offenders were divided into several Ranks and Articles, according to the greatness of their Offences, after the following Order.

The Heads of
this Decree.

1. Concerning them that began the War, and persevered in it.
2. They that were at Chesterfield, against that King in Battel.
3. All those that violently and maliciously kept Northampton against the King.
4. All those that had fought against the King at the Battel of Lewes.
5. All them that were in Kenelworth Castle, who came from the sacking of Winchester, or were in any other place against the King, whom he had not pardoned.
6. All them that fought against him at Evesham.
7. All that were in the Fight at Chesterfield.
8. All that freely, wilfully, and uncompelled, sent any Aid or Service, against the King, or his Son.
9. The Bailiffs, and Servants of the Earl of Leicester, that plundered their Neighbours, burnt their Houses, or killed them, or did other Mischiefs.

All these abovementioned were to pay the value of their Lands for five Years; and if they paid their Redemption Money within that time, they were to have their Lands again: this Composition was to be paid at two or three payments, but if they paid the whole Sum at once, then all their Lands were to be delivered them presently;

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sently; if half, then but half; if a third part, then they were to have no more than a third part of their Lands restored.

But if they were not able to raise any Money at all, then their Lands were to remain in the Hands of those to whom the King had given them, till the Money was raised out of the Profits of their Estates: and out of those Compositions the King was to gratify such as had done him faithful Service.

10. Then follow certain Clauses concerning the Heirs of such of the Disinherited whose Fathers were dead, they being as yet under Age; for these their Lords were to pay their Fines for them, and to raise them out of their Estates.

11. Also all the King's Grants of Wardships of such Heirs were to hold good till they came of Age, and then they were to be restored to their Estates upon the same Terms as others, in the same Condition.

12. All those that were then in the Castle of *Kenelworth*, were to be admitted after the common Form, or Terms of Peace with the rest, except *Henry Hastings*, and those who maimed the King's Messenger.

He was at this time Governor, or Commander in Chief at *Kenelworth* Castle.

13. The Earl *Ferrars* and *Henry Hastings* were to pay seven years Profits of their Estates.

14. Those who had committed less Offences than these above-named, might compound some for three Years, some two Years, others one Year, or half a year's Rent of their Lands, according to the nature of their Crime: those that had no Lands were to be punished in their Goods.

Note, in the Manuscript Copy in the *Cottonian* Library, there are divers other things which need not be here recited; only this is worthy our Observation, that at the beginning of this Edict, are these remarkable Clauses following, *viz.*

All Obligations, Writings, or Instruments made by the King or his Son, concerning the late *Oxford* Provisions, or made or entered into by any of the King's faithful Subjects, by reason of the Troubles, were declared Null and Void by this Sentence; and thereby also it was declared that the King might and ought to exercise his Royal Power and Authority, without the hindrance or contradiction of any one, yet that the Great Charter, and Charter of the Forest, were to remain in full force by this Judgment.

These Commissioners also humbly beseech the King and Legate, that under the Penalty both of corporal Punishments, and ecclesiastick Censures, they would strictly forbid any to speak of *Simon Montfort* as a Saint, or to spread abroad the vain and foolish Miracles reported of him.

They also farther beseech the Legate to absolve the King, and all others of the Kingdom, both great and small, from the Oaths they had taken, to observe those Charters (concerning the late *Oxford* Provisions) to the observation whereof they were bound by the Sentence of *Excommunication* pronounced against such as did not observe them.

*

This

This Decree or Statute called *Dictum de Kenelworth* was published and proclaim'd in the * Camp at, or before *Kenelworth*, on the 31st of *October*, in the Year of Grace 1266. and of the Reign of King Henry the 5th.

This Law or Edict is much more prolix in the Original; but being now of no other use than to inform the Curious, I have only given you the Heads of it: what is here added, and not in the Latin Copy printed by *Toshil*, nor in *Rastal's* English Statutes, is to be found in the † Manuscript in the *Cottonian* Library, with which I have compared this Translation.

And therefore in the printed Copies of this Edict, these words, *dat. in Castro de Kenelworth*, (as if the Castle was then, or some time before surrendered) are Erroneous, for indeed it held out till almost *Christmas* following, as all our Historians, both printed and Manuscript, agree.

[5] And this perhaps might lead Dr. Brady into that mistake, that it was delivered about the twentieth of *July* before; yet the Writ which he cites from the * Record, dated the twenty first of that Month, directed to the Sheriffs of *Staffordshire* and *Shropshire*, not to disturb several therein named, who were then admitted to the King's Peace, having been before in Arms (tho in other Places, and not there) does not prove that the Castle was then taken, unless the Doctor could likewise make it out that the Persons therein mentioned had been actually in it, which I believe would be very hard for him to do; for tho the Summons for this Parliament to meet at *Kenelworth* bears date the twenty second of *August*, yet does it not from thence follow, that the Castle was at that time in the King's Power; since tho they certainly met at the Town of *Kenelworth* before the Castle was taken, yet they did not all continue there till such time as this Sentence or Decree could be finished and proclaim'd, but were either Dissolved or Adjourned to *Northampton* (a Place of better Reception) as you will find by and by.

But notwithstanding the great Clemency and Moderation of those Bishops and Lords, who were authorized to draw up this Statute or Decree of *Kenelworth*; yet it wrought no effect at all upon the Rebels, for those in the Castle still continued obstinate, and refus'd to submit to them; as did also *John Dayville*, and his Party in the Isle of *Ely*, who not only slighted it, but still continued to make fresh Excursions, wasting and plundering the Countries round about.

[1] To put some stop to these Violences, the Legate called a Synod of the Clergy at *Northampton*, at the Feast of *All-Saints*, and excommunicated all those who were then in Arms against the King, and all Clergymen that favour'd *Simon Montfort*, and gave him any Assistance, as particularly *John* Bishop of *Winchester*, *Henry* Bishop of *London*, and *Stephen* Bishop of *Chichester*; who being also suspended, were all not long after fain to go to *Rome*, to beg the Pope's Absolution.

But the Reader may take notice, that tho the Continuator of *Mat. Paris* places this Council under the next Year, yet he is certainly mistaken; for the *Annals of Waverly* and *St. Augustin*, as well as *Walter Hemingford's* Chronicle, all agree, that besides the Synod

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* It is in *Castro* in the Manuscript Copies, and not *Castra*, as is the printed *Rastal*, and Dr. Brady's Translation of it.
† *Claudius*, D. 2.

A great Error in the printed Copies of this Statute, which hath led Dr. Brady into the mistake of making this Castle to have been surrender'd in *July*.

[5] Compl. Hist. p. 657.

* Cl. 50. H. 3. M. 2.

T. W.

[1] G. R. W. H. The Legate holds a Synod at *Northampton*.

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A Parliament
also at Nor-
thampton,
wherein the
Statute of
Kenelworth
is confirmed.

Synod abovemention'd, the King held also a Parliament at the same time at *Northampton*, wherein all those who still maintain'd the Faction of *Simon Montfort* were disinherited; that is, (as the *Annals of Waverly* well explain it) the late Statute or Decree made at *Kenelworth* was then confirm'd in another Assembly, I suppose either because many of the Bishops and Clergy were not present before, by reason of the Army that was then quarter'd about *Kenelworth*, or rather for want of Lodgings and other Accommodations in so small a Place.

[2] T. W.
The Rebels of
the Isle of
Ely plunder
Norwich and
Cambridge.

[2] But it seems, notwithstanding the late Excommunication of the Rebels, those in the Isle of *Ely* were arriv'd to that Insolence, and became likewise so powerful, as to march out of the Isle as far as the rich City of *Norwich*, which they surprized and plundered, to the value of above twenty thousand pounds; and in their return did the like to the Town of *Cambridge*, carrying away from thence not only several *Jews*, but also the richest of the Townsmen, whom they kept Prisoners till they would ransom themselves at exorbitant Rates.

[3] Id. ib.

[3] But it is now time to return to the Siege of *Kenelworth* Castle, which having been block'd up most of the last Summer, and all this Winter, the Besieged were thereby driven to that Extremity, as to eat their Horses; at length all manner of Provisions and Fuel failing, (the Cold being very severe) they began to make a much more feeble Defence than they had hitherto done; so that about the beginning of *November* they were forced to Capitulate, and at last agreed for the delivery of the Castle within the space of forty days, if it were not relieved by their Lord, *Simon Montfort*, before that time: and for the true performance of this, Sir *Richard de Edmundsvill*, and seven other Knights, were delivered as Hostages till that time was accomplished; during which it was also agreed, that if their Lord *Simon* relieved the Castle, then these Hostages were to be again return'd into it; but if otherwise, the Castle was to be delivered when the forty days were expired: but no Relief coming to them within that time, they were forced to surrender upon *St. Lucy's* day, or the 13th of *Decemb.* but when the Besieged march'd out, it was a miserable sight to see how pale and meager they looked, by reason of the great want of Victuals they had so long been under; and when the King's Men went into it to take Possession, they were almost choak'd with the horrid stench of the dead Carcases, and other Nastiness they met there; but as for the Besieged, they had but too good Terms given them (considering their great obstinacy) for they did not only march out with their Arms and such Horses as they had left, but also with all the rich Plunder they had taken from the adjacent Country before the Siege began; all which, together with their Lives and Liberties, were to be secured to them.

So that if we consider the paucity of the Defendants, in comparison of the great Army that lay before it for near half a Year, in all which time they received no Recruits, either of Men or Provisions, we must grant that this was one of the longest Sieges that we can find in History of a place remote from the Sea or any Navigable River; and I wonder that so considerable an Action is so slightly taken

taken notice of by most of our Historians, many of whom (tho they mention it as it were by the by) yet all of them, as well in Print as Manuscript, place the surrender of it on the day abovemention'd; tho I suppose *Roger Wendover* and *Matt. Westminster*, their silence as to this particular, has been the occasion of Dr. Brady's great mistake about it, as hath been already observed: but so soon as the King was possessed of this strong Castle, (being forfeited to him by the Treason of the late Earl of *Leicester*, his Brother in Law) he bestowed it upon Earl *Edmund* his second Son, who was also sometime before created Earl of *Derby*, upon the Attainder of *Robert de Ferrars* the late Earl thereof. And as soon as the King had settled his Affairs in those Parts, he went to *Woodstock*, and there stayed till *Christmas*.

[1] As for the Ecclesiastical Affairs of this Year, they are not many more than what hath been already related, only in the late Council or Synod at *Northampton*, there was by the Pope's Legate's Decree granted to the King the Tenthhs of all the Revenues of all Bishops, Abbots, and other Clergymen throughout all *England, Wales, and Ireland*.

[2] In *February* this Year, *Walter de Cantelupe* Bishop of *Worcester*, who had been a zealous maintainer of the Baron's Party, and therefore had been excommunicated by the Pope's Legate, but lying upon his Death-bed, he was very penitent for his Fault; and therefore sending to the Legate for Absolution, he obtained it, and then departed this Life.

* This Year (according to the Continuator of *Matt. Paris*, who still begins it at *Christmas*) the King kept that Festival at *Oxford*, in the Abbey of *Osney*, together with his Queen and the Pope's Legate, where there were great endeavours used to make a Reconciliation between the Earl of *Gloucester* and the Lord *Mortimer*, but without any Effect; but *Matt. Westminster* says he kept this *Christmas* at *Coventry*, tho the matter is not much which of them is in the Right; but wherever it was, [3] it is certain that before the Holydays were over, he removed to *Westminster*, there to celebrate the Feast of St. *Edward's* Departure, which was always kept on the Vigil of *Epiphany*, at which Solemnity (as *William Rishanger* relates) many Prelates, Earls, and Barons being present, the King caused the Pope's Legate to sit at Dinner in his own Royal Seat, he himself sitting below him, which was a plain owning of the Pope's Superiority even in Temporals. To this Feast the Earl of *Gloucester* was invited, but being again discontented at some of the King's late proceedings, refused to come, yet sent a Message to the King, admonishing him to remove all Strangers from his Councils, and also to cause the late Provisions of *Oxford* to be observed throughout his Kingdom; which shews great fickleness in this Lord, since he himself had been one of those who had contrived the Statute of *Kenelworth*, whereby these Provisions were declared void.

But the true reason of his Discontent seems to have been the King's failure in some Promises which he had made to him, when he met him at *Evesham*, the performance of which he now demanded;

Anno Dom.
MCCLXVI.

[1] A.W. ib.

[2] M.W. A.W.

The death of
Walter Bp of
Worcester.Anno Dom.
MCCLXVII.* Note, Thom.
Wikes, and the
Annals of Waverley, with
some others
who wrote in
the Time of
E. 1. begin
the Year a-
bout the lat-
ter end of the
Reign of this
King at Lady-
day.

[3] T.W. G.R.

The K. keeps
the Feast of
St. Edward
with great So-
lemnity,
where he
makes the
Pope's Legate
sit above him
at Dinner.The E. of Glo-
cester, tho in-
vited to this
Feast, refuses
to come, and
why.

Anno Dom.
MCCLXVII.

[4] A. S. A.
A Colloquy or
Treaty with
the Nobility at
London.

[5] G. R.
The K. sum-
mons a Parlia-
ment to meet
at St. Ed-
mundsbury.

The K. sum-
mons the E. of
Gloucester to
come to Parli-
ament, who
refuses it, yet
seals a Charter
never to fight
against the K.

The Bps and
Clergy being
met, the King
and the Legate
desire their
Compliance to
several Arti-
cles.
[1] Id. ib.

With their
Answers.

ed; and the King not answering according to his expectations, it produced a fresh Rebellion, as you will find anon.

[4] About *Candlemas*, the King held a Colloquy, or Treaty with the Nobility at *London*, where I find nothing transacted, but that *Mathias de Bezilles*, who had been sometime before made Constable of *Dover* Castle, was now for some Misdemeanours removed, and the King gave the Custody of it to *Edward Stephens* of *Portchester*.

[5] Not long after this lesser Council was over, the King summon'd the Earls, Barons, Archbishops, Bishops, Abbots, and all others that owed him Military Service, to meet him at *St. Edmundsbury*, within eight days after *Candlemas*, with Horse and Arms, to march against those that had taken and still held the Isle of *Ely*: whereupon all but the Earl of *Gloucester* obeyed the King's Command, and he was then very busy in the Confiners of *Wales*, raising a great Army. But *John de Waren* and *William de Valence* were sent to admonish him to come to the Parliament; yet they could not prevail with him any farther, than to obtain certain Letters or Charters, sealed with his own Seal, by which he engaged never to bear Arms against his Lord the King, nor his Son Prince *Edward*, unless in his own Defence; nevertheless he declared that he would resist *Roger de Mortimer*, and other his Enemies, to the utmost of his Power: This he cunningly pretended, because he would not be thought to run again into a downright Rebellion.

When all the Bishops and Abbots, and Clergy, summon'd to this Parliament, were met at the Place abovemention'd, the King and the Legate required their immediate compliance with these following Articles, viz.

[1] *First*, that the Prelates and Rectors of Churches, should grant them the Tenth's of their Churches for three years next to come, as also for the Year last past, in like manner as they gave them the Barons to guard the Sea-Coasts against the Incursions of Strangers. But to this they answered, That the War was begun by evil Designs, and by the same did still continue, and for that reason it was necessary to lay aside those unjust Demands, and to treat of the Peace of the Nation, and make use of this Parliament for the benefit both of Church and Kingdom; and not go about to extort Money, especially when the Nation was so much impoverish'd by War, that it must be a long time before it could be able to recover it self.

Secondly, They required, that their Churches might be taxed by Lay-men, according to the just and true value. To this also they answered, that That was not reasonable, but contrary to justice, for Lay-men to meddle with collecting of Tenth's; nor would they ever consent to a new way of taxing, but that the old one should stand.

Thirdly, That the Bishops and Abbots would pay the Tenth's of their Baronies and Lay-fees fully, according to the true and highest Value: to this they answered, That being impoverished by Depredations and Plunderings, and by following the King in his Expeditions, they had already spent all their Money, and were run so much behind-hand, that their Lands were forced to lie untill'd.

Fourthly, They required, that all Clerks holding Baronies or Lay-Fees, should go armed in Person against the King's Enemies,

or find so much Service as belong to their Lands or Tenements: *Anno Dom. MCCLXVII.* But to this they answered, That they ought not to fight with the Material, but the Spiritual Sword (to wit) with Prayers and Tears; that by their Benefices or Fees, they were bound to maintain Peace, and not War; and that they held their Baronies in *Frank-Almoign*, (i. e. in pure Alms) and therefore owed no military Service but what was certain, and would not perform any that was new.

Fifthly, They required on the behalf of the Pope, that with all speed, the Expedition of the Cross might be preached through the whole Kingdom: to this they answered, That a great part of the People had been killed in War already, and that if now they should undertake the *Crusado*, few or none would be left to defend the Nation.

Lastly, It was urged, that the Prelates, whether they would or not, were obliged to comply with all these demands by the Oath they had taken at *Coventry*, to assist the King by all the honest means they could: but to this too they answered, That when they took that Oath, they only meant spiritual Help and wholesome Counsel, and not Money nor Arms.

[2] What was done further in this Parliament I cannot tell, only that being summon'd for the repressing of the Rebels in the Isle of *Ely*, it is certain, that so soon as it was dissolved, the Lords and Tenants by *Military Service*, then marched with the King from *St. Edmundsbury* towards the said Isle; yet before the King left that Place, he prevail'd with the Pope's Legate (who had accompanied him thither) to send certain Bishops to those disinherited Barons in the Isle, admonishing them,

First, to return to the Faith and Unity of the Catholick Church; but to this Message they answered, that they firmly held the same Faith they had learned from the holy Bishops, viz. *St. Robert* (that is, *Grotest* or *Grout-head*, late Bishop of *Lincoln*) and *St. Edmund* and *St. Richard* (both Archbishops of *Canterbury*) and other Catholick Men; that they believed the Articles of Faith contained in the Creed; the Gospels also and Sacraments, which the Universal Church held and believed, they did believe, and in that Faith they were resolved to live and die.

Secondly, he admonished them to return to the Obedience of the Roman Church: to this they answer'd, They did obey the Roman Church as the Head of all Christianity, but not the Lust, Covetousness and Exactions of those that ought otherwise to govern it.

Thirdly, He admonished them to return to the King's Peace according to the late Award: to this they answered, First, that the Legate was sent into *England* to make Peace, but he rather kept up the War, because he manifestly joined with the King's Party, and encouraged it, and in so doing, maintained the War. Secondly, they said, the Award was void, for that the Pope commanded the King and Legate that none should be disinherited, and they had such high Fines set upon them, that they amounted to a disinheriting.

Fourthly, He admonished them to receive Absolution from the Sentence of *Excommunication* pronounced against them according to the Form of the Church: to this they answered, That their first

[2] T. W.
The K. with his Army of Military Tenants marches to the Isle of *Ely*, accompanied by the Pope's Legate, who sends certain Bps to the Rebels, to persuade them to return to their Allegiance.

Anno Dom. MCCLXVII. Oath (which was to maintain the *Oxford Provisions*) was for the Advantage of the Kingdom, and the whole Church, and all the Prelates of the Kingdom thundered out the Sentence of *Excommunication* against all those that should act contrary thereto; that they resolved to stand to that Oath, and were ready to die for it, and exhorted the Legate to revoke his Sentence, otherwise they would appeal to the Apostolick See, or to a General Council, as the Supreme Judg.

Fifthly, He admonished them not to commit any more Robberies, nor to damnify any one: to this they answered, That since they fought for the benefit of the Kingdom and Church, they ought to live upon the Goods of their Enemies, who detained their Lands.

Then from answering, they proceeded further, to desire the Legate to admonish the King to remove Strangers from his Council; and they likewise requir'd of the Legate, that their Lands might be restored without any Fines or Ransoms; that the *Oxford Provisions* might be observed, that they might have Pledges or Hostages sent them into the Isle for their Security; and that they might peaceably enjoy it for five Years, until they saw how the King would keep his Promises. Then they proceeded to complain of the King's late turning the Bishops of *Winchester*, *London* and *Chichester* (being prudent Persons) out of his Council, as also of the Legate's taking to his own use the Goods and Revenues belonging to Bishopricks: they also declared against his great Charges and Exactions from Monasteries, whereby they were disabled from giving Alms, and bestowing Hospitality.

That the Churches or Livings of *England*, and the Ecclesiastical Revenues, were bestowed upon Strangers who were her Enemies, so that they had none but mean Curates, and those too hired for a very small matter.

As for what concerned Ecclesiastical Matters, they were real Grievances, and such as the Nation then groan'd under, yet had neither Power nor Courage enough to redress them. But as for those relating to Civil matters, they were no other than what *Simon Montfort* and those of his Party had before insisted on. [3] But the King and the Legate being highly exasperated at these demands; the Treaty broke off, and the King prepared to besiege the Island, which this * Author (who erroneously) supposes not to have been undertaken till the Year following, whereas it was indeed besieged and taken this very Year, as I shall shew farther by and by.

[3] G. R.
The K. and
Legate being
displeased
with the Re-
bels demands,
the Treaty
breaks off.

* Id. p. 1004.

[4] Hist. p.
659.

[5] P. 78.

And I suppose this mistake led [4] Dr. *Brady* into a greater, when, contrary to the order of Time, he separates this Treaty with those in the Isle of *Ely*, from the Parliament at *St. Edmundsbury*, and places it just after the Council at *Northampton*, without the Authority of any Author to justify his so doing; whereas if he had consulted [5] *Wikes's Chronicle*, he might there have found, that the Parliament at *St. Edmundsbury*, when this Treaty began, was held at *Candlemas* near four Months after the other at *Northampton*.

But I shall now from this Author last mentioned (being the most exact I can find) proceed to give you an Account of the rest of the

the Transactions relating to these Rebels, as well as other matters.

[1] The King, finding he could not prevail with the Rebels in the Isle of *Ely*, removed from *St. Edmundsbury* to *Cambridg*, resolving to block up all the Avenues which led to it, that so he might hinder the Rebels from going out, and plundering the Country as they had done before.

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MCCLXVII.

[1] *R.W.* p. 78.

The K. not being able to take the Isle of *Ely*, retires to *Cambridg*.

Here the King passed all the *Lent*, keeping his Army with him to little or no purpose; and tho he had got together a great many Vessels from *Ipswich*, *Dunwich*, *Yarmouth* and *Lyn*, and had put a great many Souldiers on board them, yet so soon as they landed upon the Island, they received a Repulse, and were forced to return.

[2] But whilst the King thus wasted both his Time and his Money at *Cambridg* to little purpose, Prince *Edward* was better employ'd; for the Lord *John Vespi* (one of the late disinherited Barons) had then raised some Forces in the *North*, and therewith recovered his Castle of *Alnwick* and other Lands Adjacent, of which he had been lately disseized: whereupon Prince *Edward* marching down with a brave Army into those Parts, he reduced that Lord to such streights, that he was forced to crave pardon for his Crime, and surrender himself and his Estate to the Prince's Mercy; who to show himself generous, freely pardoned him, upon which the rest of his Accomplices being likewise forced to yield, that Rebellion was soon quell'd.

[2] *Id. ib.*

P. *Edward* in the mean while subdues *John de Vespi* and other Rebels in the *North*.

[3] Whilst the King staid thus at *Cambridg* (as I have said) to little purpose, the Earl of *Gloucester*, and several other Barons of his Party attended with a great Army, went from the Marches of *Wales* to *London*, pretending it was for the King's Service; by which means the Citizens gave him entrance into the City, which he fortified as well as he could, and then sent to the Legate forthwith to deliver up the *Tower*, and being refused, he forbade all People to send in any Provisions to him: then the Rabble of the City and Counties adjacent, plundered all those who they thought were not of their Faction.

[3] *Id. ib. M.W.*
The E. of *Gloucester* marches up and seizes the City of *London*.

But since the Annals of the City of *London* (already cited) do very much excuse the Citizens for so easily admitting the Earl of *Gloucester* with his Adherents into the City, and do also give us a more particular Account of these Transactions than any other Author, I shall here therefore add what they relate concerning this Affair, viz. That the Earl of *Gloucester* pretending he only came up to assist the King against the Rebels in the Isle of *Ely*, the Pope's Legate was so far deceived therewith, that when the Earl came to *Windsor*, the Mayor and Citizens attended the Legate (who was then left chief Governour in the King's Absence) to know whither the Earl should be admitted into the City or not; the Legate's Answer was, That they should admit him by all means, for he verily believed he was the King's Friend: whereupon about a Week before *Easter*, the Citizens sent some of their Body to meet the Earl upon the Road to *London*, and desire him not to quarter his Army within the City, which he readily granted, only demanded leave to march his Army through it, and so he did, and took up his Quarters in *Southmark*; and the day following, when the Legate (who then lay in the

A more full Account of these Transactions from the City Annals.

The E. of *Gloucester* is admitted into the City by the Legate's Order.

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the Tower) would not go over the Bridg to meet the Earl, he thereupon came into the City with many Attendants, and met the Legate in *Trinity Church*, and there had a long Conference with him; but what the issue of it was our Author does not tell us, but it is very probable that the Earl required the Legate to deliver up the Tower into his Hands (as hath been already said) which being refused, the War began between them, as you will see by and by.

[4] *Id. ib.*

The Earl quarters his Army in the City. And *John Dayville*, with many of his Accomplices come up to London.

Whereupon many of the best Citizens leave the City.

Whereupon many of the best Citizens leave the City.

[5] *Id. ib.*

* *Communiam.*

The meaner sort of People begin again to domineer, and plunder the chief Citizens.

The Legate forbids singing of Service in the City Churches.

[1] *T. W. ib.*

The fair Pretences of the E. of Gloucester make a strong Party for him.

[2] *Id. M. W.*

[4] After this the Earl pulled off the Vizard, and began to act more openly, and quartering his Army in the City, thereby made himself master of it; but his Intentions more plainly appear'd, when *John Dayville*, the chief Ring-leader of the Rebels in the Isle of *Ely*, came up with a great many of his Party, and join'd with him: but the City fearing this plundering Crew, drew up their Draw-bridg against them, and shut their Gates; whereupon *Dayville* and his Company were fain to take up their Quarters in *Southwark*: but presently after *Easter* the Earl took away the Keys of the City from the Mayor, and delivered them to those in whom he could confide; by which means the Rebels in *Southwark* came in and out of it at their Pleasure, which so alarm'd the better sort of Citizens, that they left the Town for fear of the King's Displeasure, and the Earl thereupon presently seized their Estates.

[5] Then the meaner sort of People began again to domineer, calling themselves the * *Community* of the City, as they did in *Simon Montfort's* time; so that many of the chief Citizens, who were looked upon to favour the King's Party, were imprisoned, and their Goods plundered; and the Mayor being now discharged from his Office, one *Richard de Culworth* was made chief Bailly of it under the Earl of *Gloucester*: then all those who had been outlaw'd for breaking the King's Peace during the late War, and had fled for the same, return'd into the City without any controul, and those that were Prisoners in *Newgate* for their late Rebellion, were set free; which when the Legate heard, and that those whom he had formerly excommunicated, did now what they pleased, he put the City under a kind of *Interdict*, commanding that the Bells should not be rung for Divine Service, and that it should be read and not sung, the Church doors to be kept shut, lest the excommunicated Rebels should come in to hear it.

[1] But to return to our first Author; notwithstanding all the Legate could do, the Earl of *Gloucester* had a strong Party as well within the City, as without; for his pretences seem'd very popular, viz. That he only took up Arms for the good of the Commonwealth, and to make the King restore the disinherited Barons in the Isle of *Ely* to their Estates upon reasonable Conditions; and further, to force Prince *Edward* better to observe the Oath which he had formerly took to him at *Hereford*: but as for the particular Articles of that Treaty, our Author for brevity sake thinks it not fit to give them us.

[2] Then the Earl fell closely to besiege the Legate in the Tower, who, for want of better Defendants, was forced to call in the *Jews* for his Guard, the Earl's Men endeavouring all they could by Engines and other means to take it, whilst the Defendants on the other hand did their utmost to repel them, and hold it out till the King's Arrival; who so soon as he had heard of the surprize of the City, presently

presently left *Cambridg*, and his unsuccessful design of blocking up the Isle of *Ely*, and marched up towards *London*. Then Prince Edward being now return'd victorious out of the *North* with a powerful Army, joined his Forces with the King his Father's; who then sent to the Earl of *Gloucester*, commanding him to leave the City, and if he refused it, he would come thither in Person, and force him and the disinherited Barons of his Party, to quit what they had unjustly seized on.

So the King and Prince about three Weeks after *Easter* marched as far as *Windsor*, where their Army daily encreased, insomuch that he finding himself now strong enough to march, drew nigh the City, and came by the favour of the Night and encamped very near its Walls; then drawing up his Forces next morning in sight of the Citizens, he relieved the Legate, who got out of the Tower by a Postern on that side next the River, whom the King received very joyfully; and he presently after marched with his Army to *Stratford*, a Town within three Miles of *London*, and there incamped without any Opposition: but both Parties being mindful of the former chances of War, deferr'd fighting as much as they could; tho *Mat. Westminister* relates, that they challenged the King to a Battel upon *Hundredlow-heath*; and how the next day the King went thither, but found no Enemy; which does not seem likely, that so great a Man as the Earl of *Gloucester*, who had a great Army of his own, besides most part of the ordinary Citizens at his beck, should provoke the King to fight, and then not dare to march into the Field. But this is certain, that the Earl of *Gloucester* continued in *London*, and the King remained with his Army at *Stratford* for above two Months this Summer.

[3] But nevertheless those of the Earl's Party in *London*, marched down into *Kent* and *Surrey*, and plundering those Counties, they brought great store of Provisions into the City, which was then almost blocked up on the *Essex* side: and not being contented with this, the mischievous Rabble spoiled the King's Palace at *Westminster*, breaking the very Windows and Doors, and falling upon all those that they thought took the King's part; and they either kill'd, or drown'd in the *Thames*, without any Mercy, all Persons whomsoever they suspected.

I must not here omit, that during these Combuſtions, [4] the King being in great want of Money, the Pope's Legate took out the Jewels and golden Images belonging to the Church of *Westminster*, which he pawned to certain Merchants for a great sum of Money to supply the King's present Necessities, which Jewels were again restored to the said Church some time after the Conclusion of the Peace. But to return to matters more Material.

At last, when the Earl of *Gloucester* perceived that the King's Forces daily encreased, and that the Earls of *Boloinne* and *St. Paul* were come to his Assistance out of *France*, with two hundred Knights and their Retinue; and the *Gascains* likewise, with many great Ships well mann'd and provided, were arrived in the *Thames*, and only expected the King's Orders: and likewise found that he could not take the Tower by Force, but his Army was like to be blockt up and starved in the City, he then applied

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The K. having join'd his Forces with his Son's, marches up to *London*, and commands the E. of *Gloucester* to depart.

And relieves the Legate from his Confinement in the Tower.

The K. incamps at *Stratford*; where both Armies lie in sight of each other, without fighting.

[3] T.W. p. 80:
The Earl's Party in *London* plunder *Kent* and *Surrey*, and spoil the K's Palace at *Westminster*.

[4] M. W.
The Legate pawns the Jewels, &c. belonging to the Church at *Westminster*, to supply the K's Necessities.

The E. of *Gloucester* being afraid of the King, desires a Treaty of Peace.

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Which is at
last conclud-
ed, with the
Terms on
which it was
made.

* Rot. Pat. 51.

H. 3. M. 16.

N. 49.

[4] Compleat

Hist. p. 662.

The K. remits
to the City of
London all ill
Will, by rea-
son of the late
Troubles.

Several Barons
are also par-
don'd at the E.
of Gloucester's
Intercession.

[5] M. W.

[1] T. W.

The Prince is
sent down to
besiege the
Isle of Ely.

The manner
how he carri-
ed on his At-
taque.

plied himself to *Richard King of Almain*, and the *Ld Philip Basset*; and they after many Meetings and Treaties, about the middle of *June*, made his Peace with the King, in which he and all his Favourers and Adherents, together with the *Londoners*, were included, and by the King's Charter he was pardon'd all Actions done from the beginning of *April*, when he first came from *Wales*, either within or without the City. But this Pardon was not to extend to those that were disinherited by the Decree of *Kenelworth*, and that were not in the King's Peace the day the Earl began to march: and that the King might be farther assured he never would make War against him any more, he gave his Oath and Charter, under the Penalty of ten thousands Marks for Security. This Accord bears date at *Stratford* the day after, and is upon * Record in the *Tower*, as is also the Charter of Pardon, being both cited by [4] Dr. Brady.

To which it is further added in the City Annals, that by this Agreement the aforesaid Penalty was to continue in force against the Earl, till the Pope's Judgment were known, and whatsoever he should determine concerning this matter the Earl should be bound to observe; so that this Judgment was given before *Candlemas* next ensuing.

There is also in these Annals another Charter of the King to the City of *London*, whereby he remitted to the Citizens all Rancor and ill Will, which he might bear against them by reason of the late Disturbances: this Charter is in French, and bears date some days after the Charter of Pardon to the Earl of *Gloucester*; by whose Intercession *John Dayville*, *Nicholas de Segrave*, and other Barons (who came lately out of the Isle of *Ely*) were also pardoned and restored to their Estates, according to the Articles ordained by the Decree of *Kenelworth*.

And some time after there was a great Treaty or Colloquy of the Nobility at *Windfor*, where by the mediation of the King of the *Romans* and the Lord *Henry* his Son, a perfect Reconciliation was made between Prince *Edward* and the Earl of *Gloucester*.

These troublefom Affairs being thus dispatched, and the K. having discharged and sent home all those foreign Forces that came over to his Assistance, very well rewarded for their Pains; he then reassumed [5] the Siege of the Isle of *Ely*, which had been for some time intermitted; and where since the departure of *John Dayville*, late Governor of *Kenelworth* Castle, *Henry de Hastings* had made himself Commander in chief, tho contrary to the Oath he had given at the taking of that Place: for upon the drawing off of the King's Forces towards *London*, those in the Isle had renewed their wonted Depredations upon the adjacent Counties, [1] of whose sad Condition Prince *Edward* having great Compassion, was resolved to put a stop to their Violence as soon as possible; wherefore taking with him a strong Army, he first marched down to the Abbey of *Ramsay*, and there by great Promises and Rewards, brought in the Inhabitants of the neighbouring Parts, who knew all the Channels, Fords, and secret Passages that led to the said Isle; these making Bridges of Reeds, or (as *William Risbanger* relates) of Hurdles and Timber, the Prince and his Forces got into the Isle with little or no Resistance, which too was the easier compassed, because the Summer being very dry, most

of the boggy and marshy Places were now become firm Ground: and to prevent any sudden Assaults or Resistance from the Besieged, who he saw were drawn up to hinder his landing, he caused Proclamation to be made, that whosoever of the Rebels offer'd to assault his Men, or any ways to hinder their Passage over, he would not fail to make them pay for it with the loss of their Heads, if it should please God to grant him success; promising also pardon to all those who would submit to his Mercy: so granting them two days Truce to consider of these Conditions, their courages were then so cool'd, that they quietly submitted to the Prince's Pleasure, and surrender'd the Isle without any other Conditions than only their Lives and Liberties saved; into which Place the Prince with all his Forces marched in Triumph.

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The Rebels
surrender the
Isle to the
Prince.

This good Success happened about *St. James-tide*, by which this long and dreadful Civil War that had for above five Years tormented this sinful Nation, was now absolutely extinguish'd; and the *English* Nobility leaving the troublesome and dangerous trade of War, had now time again to follow their Country Employments and Recreations.

But before I dismiss this Subject, I cannot but take notice that the Continuator of *Matt. Paris*, by placing this reduction of the Isle of *Ely* under the Year following, has led [2] *Dr. Brady* into the same Error, who has also placed this Action under the Year 1268. whereas it was indeed undertaken and finished this very Summer 1267. not long after the Earl of *Gloucester's* making his Peace with the King, as all the Authors (except he and the Doctor) agree.

The mistake
of *Will. Ri-
shanger*, about
the Time of
taking this
Isle, has led
Dr. B. into
the same Er-
ror.

The Civil Wars being thus happily concluded, the King had now time to correct the insolence of the *Welsh*, [3] who taking Advantage of the dissensions in *England*, had lately, under the Conduct of Prince *Llewellyn*, wasted the *English* Borders, notwithstanding the League made with him about two Years ago: wherefore the King, as I say, to repress his Insolence, came with a great Army as far as the Castle of *Montgomery*, with an intention to march into the Bowels of *Wales* it self; but when *Llewellyn* heard of it, and was now deprived of his usual Assistance, the rebellious Barons, his Heart beginning to fail him, he by the Legate's perswasion (who came along with the King for that purpose) desired a Treaty of Peace, which was soon concluded upon these Conditions.

[2] *Compleat
Hist. p. 664.*
[3] *R.W.M.W.
P. Llewellyn
having in-
vaded the Eng-
lish Borders,
the K. march-
es against him
with a great
Army.*

Upon which
News the
Welsh Prince
desires a Trea-
ty of Peace.

First, all Lands were to be restored on both sides, and that the Laws or Customs of the Marches should still hold good; that King *Henry* should grant unto Him and his Heirs, the Principality of *Wales*, and that they should always be stiled Princes of *Wales*, and should receive the Homage and Fealty of all the Barons of *Wales*, who were to hold their Lands of them *in Capite*, except the Homage of *Mereduc* the Son of *Rheese*, which the King retained to himself and his Heirs; and if ever the King should grant it to the Prince of *Wales*, he should pay for it five thousand pound. The King likewise granted him the four *Cantreds* of *Borthwald*, to hold them as fully as ever the King and his Heirs had possessed them; for which Principality, Lands, &c. the same Prince and his Successors were to swear Fealty and do Homage, and perform the accustomed Services due to the King and his Heirs, as they had been done by him and his Predecessors to the King and his Ancestors;

Which is con-
cluded upon
certain Con-
ditions to be
performed on
both sides.

Anno Dom. and further, he was to give him twenty five thousand Marks in
MCCLXVII. Money. This Agreement bears date at *Shrewsbury* the 25th of Sep-
tember 1267. at which Place the King and Prince then met for their

better Accommodation; and this agrees with the * Record in the
 * *Cart. 51. H. 3. M. 2.*
 † *P. 663.* *Tower*, cited by † *Dr. Brady* in his History.

[4] As for Ecclesiastical Affairs, this Year affords little consider-
 able; but that the Pope now exceeding even the plenitude of his
 Power, (as my Author words it) burdened the *Englisb* Church by
 an unusual kind of Contribution; granting to the King by his Bull,
 a tenth part of the Rents and Annual Revenues of all Archbishops,
 Bishops, as also of all the Clergy, as well Regular as Secular, for
 three Years to come, some few Religious Orders only excepted;
 who, insisting upon their Privileges, and that they might not seem to
 contribute with the rest, compounded, by paying down at once a great
 Sum of ready Money, very near the true value of their Revenues:
 and that the Laiety might have nothing to do with the levying of it,
 it likewise appears upon || Record, that the Bishops assigned *Walter*
 the (Archbishop) Elect of *Tork*, *Stephen* of *Canterbury*, and *Rufin*
Clivel, Archdeacons in that Church, to receive and pay it to the
 King; one third part at *Easter* following, another third part at *Mid-*
summer, and the last at *Michaelmas*, and so for every one of the
 three Years: and the King by assignment of the Legate, appointed
 Collectors of this Tenth in every Diocess, as appears by two [5] sever-
 al Records to that purpose; and divers Deans and Chapters did
 likewise compound with the King for their Tenths, as did all the
 Clergy of the several Diocesses, as you may further see by other
 † Records also cited by *Dr. Brady*, tho he is a little mistaken in plac-
 ing the Pope's Grant of these Tenths under the following Year;
 when it appears not only from the Historians above cited, but also
 from the Record it self by him cited, that it was granted this very
 Year, tho it is true, the Compositions last mentioned were not made
 till the next.

But before I dismiss this Subject, I must needs take notice of what
Thomas Wikes also informs us, *viz.* that the Pope was so cunning that
 he would not grant the King this Tenth from the Clergy, until he
 had first agreed to pay all the Arrears of the Tribute or Acknow-
 ledgment which had been now unpaid for several Years, during the
 late Disturbances; and that he then appointed Master *Simon* his
 Chamberlain to receive the same of those that were to pay it.

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MCCLXVIII.

A great Par-
 liament is as-
 sembled at
Northampton.

[1] *T. W.*

|| *Anglicana*
Militia.

Where *P. Ed-*
ward and *E.*
Edmund, with
 several other
 Noblemen un-
 dertake the
Crusado.

Where the King kept his *Christmasts* this Year is somewhat un-
 certain, but *Matt. Westminster* supposes it to be held at that place;
 yet the *Annals of Waverly* (I believe with greater certainty) sup-
 pose him, together with the Pope's Legate, to have celebrated
 that Festival at *Winchester*; from which time nothing happen'd
 considerable till *Midsummer*, when the King summoned a Parliament
 at *Northampton*, [1] and (as our Author words it) there assembled
 a great Multitude of the || *Englisb* Knighthood; where by the so-
 lemn preaching of *Ottobon* the Pope's Legate, Prince *Edward* and
 Earl *Edmund* his Brother, the King's Sons, as also *Henry* eldest Son
 to the King of the *Romans*, with the Earls of *Gloucester*, *Warren*,
 and *Pembroke*, and about a hundred and twenty other Knights, be-
 ing

ing touched with the great losses in the *Holy Land*, they all received the Cross at the hands of the Legate; and by the like superstitious Devotion a great multitude of Persons of inferior Quality likewise undertook the *Crusado*, in the Cities and Boroughs, by the preaching of the *Franciscan* Friars.

[2] Then the Pope's Legate having dispatched his Business in *England*, and filled his Bags with Money for his Master's Use, resolved now to return to *Rome*; and so taking his leave of the King at *Northampton*, passed over into *France*, and from thence prosecuted his Journey homeward. About the same time also *Richard* King of the *Romans* having been by occasion of the late Civil Wars, and his Captivity, long absent out of *Germany*, passed over thither in the beginning of *August*, to settle his Affairs in those parts; where all that my [3] Author informs me he did, was, that at a great Diet of the Princes and free Cities held at the City of *Wormes*, he caused a Law or Decree to pass by their General Consent, whereby all new imposed Customs or Exactions upon Commodities, that passed up and down the River *Rhine*, should be wholly taken off and abolished, and only the antient and received Customs which were wont to be paid to the Kings of the *Romans*, to be kept up and preserved; and that if any City should refuse to submit to this Decree, all the rest of the Estates of the Empire should make War upon it, and waste their Territories, and pull down their Forts upon the River: by which Action King *Richard*, as he satisfied the *Germans*, so he highly advanced his own Reputation. This, tho it properly belong'd to the next Year, I have added under this, that I might here lay together whatever this Prince perform'd during his residence in *Germany*.

[4] This Year also the King held a Colloquy at *Winchester*, about the 17th of *November*, and therein he made his Son Pr. *Edward* Lord High Steward of *England*; which I take notice of, because I do not find this Parliament mentioned in any other Author; and it is the more remarkable, because we find that within a Month after, (that is, eight days after *Martynmas*) the King [5] held a Parliament at *Marlebridge*, (now *Marlborough* in *Wiltshire*) where the wise or discreet Men of the Kingdom, as well of the greater as the lesser Order, being summon'd, many Laws were made [1] by their unanimous Advice and Consent, for the amendment of the Kingdom, and the due Administration of Justice; of which body of Laws, called in our Law Books the Statutes of *Marlebridge*, I shall give you the chiefest Contents at the end of this King's Reign. And here I must also take notice, that Dr. *Brady*, being deceived by *William Rishanger*, (whose Authority he principally follows toward the end of his History) places this Parliament under the next Year, whereas it appears by the * Title of this Statute, that it was made in the fifty second Year of this King's Reign, being in this very Year 1268.

There remains nothing more considerable to be remarked this Year, [2] but that the King being now resolved to settle the Peace and Tranquillity of his Kingdom, caused it to be proclaimed in every County throughout *England*, that whosoever should invade or unjustly usurp any one's Goods or Possessions, should be liable to

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As do also a great Multitude of other Persons.

[2] Id. p. 86.

A. W.

The Pope's Legate takes his leave of the King.

Richard K. of the Romans takes another Voyage into Germany.

[3] Id. p. 87.

Where he calls a Diet, and takes off many new Imposts or Customs.

[4] A. W.

The K. holds a Colloquy or Treaty at Winchester, and what was done there.

[5] W. H. p.

588.

The K. holds a Parliament.

[1] Id. ib.

* Vid. Rastal's

or Pulton's

Edition of

Statutes.

[2] G. R.

P. 1005.

The K's Proclamation against stealing.

Anno Dom. a Capital Punishment, which was soon after executed upon one at *MCCLXVIII. Dunstable*, for having driven away twelve Oxen of the Villaines of *Colney* (belonging to the Abbey of *St. Albans*) who persued, took him, and brought him before the Bailiff of the Liberty of *St. Albans*, who read to him in *Englisb* the King's Proclamation before the whole Multitude, and then by virtue of this Royal command, he sentenced him to be beheaded. This I take notice of, tho of no great importance, because *Dr. Brady* has mentioned it as if it were an instance of the King's Prerogative, to cause Men to be executed by his sole Proclamation without any legal Trial; whereas it is certain, that Theft of live Cattel was punishable with Death before this Statute was made; and tho Offenders in that kind have now the benefit of the Clergy, yet that is only allowed by later Statutes: nor does it follow that the Bailiff or Steward (who was then Judg for the Abbey in criminal Causes) condemned this Man presently to be hang'd by the King's sole Power and Prerogative, without any Trial by Jury: tho this Circumstance be not particularly mentioned by the Author, from whom the Doctor has taken this Relation.

[3] *T.W.*
Ottobon the Legate holds a Synod, wherein several Ecclesiastical Canons or Constitutions were ordained.

The Ecclesiastical Affairs of this Year fall out to be more considerable, than they have been for some Years before; for [3] about the beginning of *April*, *Ottobon* the Pope's Legate, summoning both the superior and inferior Clergy, held a General Synod or Council in the Church of *St. Paul's* at *London*, of all the Archbishops, Bishops, and other Prelates, with the inferior Clergy; where after he had confirm'd the Decrees or Constitutions that were made in the time of *Otto* his Predecessor, he then published certain new ones, which he caused to be read before all those that were there present; and being thus published, he by his Legantine Authority commanded them to be observed through the whole Kingdom. These Decrees or Constitutions being very long, and wholly relating to Ecclesiastical matters, I shall refer the Reader to *Lyndwood's* Volume of *Ecclesiastical Constitutions* for them, where he may observe, that both these made in this Synod, as well as those of *Otto* above-mention'd, do contain the greatest part of our Ecclesiastical or Canon Law.

A Bull of the Pope's is read in this Synod, whereby he absolved *Simon Montfort*, and all those that were slain with him, from the Sentence of Excommunication.

I find also in the Annals of *St. Augustins* of *Canterbury*, that there was read in this Synod, a certain Brief or Bull of the Pope's, whereby he absolved *Simon Montfort*, late Earl of *Leicester*, and all those that were slain with him at the Battel of *Evesham*, from the Excommunication which their Souls hitherto lay under; alledging, that the Court of *Rome* had been misinform'd concerning the grounds of the Sentence given against them; which if it were so, (as I find it in no other Author) it plainly shews, that the Pope did not then take upon him to be infallible; but whither they were thereby discharg'd out of Purgatory, or only made it lawful for Men to pray for them, I will not take upon me, as a Casuist, to determine.

[4] *P. 86.*
The Seculars are said to grant a Twentieth part of all their Livings.

And according to [4] *Thomas Wikes's* Chronicle, notwithstanding the Tenths of all Ecclesiastical Revenues already granted by the Pope to the King, yet the Secular Clergy were likewise forced this Year to contribute (through the too great easiness of the Bishops) a Twentieth part of all their Ecclesiastical Livings; which Money by the King's concession was to be distributed among the disinherited

disinherited Noblemen and Gentlemen, whose Lands the King had indiscreetly bestowed upon others, from whom by this means the Persons disinherited might redeem them at a certain value; which being done, those Gentlemen were to be pardon'd all former Offences.

And this same Author says [5] (but a little before this time) that tho the King had received by Fines or Ransoms from the Citizens of London for their Crimes, above 20000 Marks, yet it signified nothing, for it all went away to pay the Queen's Debts, which she had contracted whilst she was beyond Sea: and [1] he also tells us further, that tho the annual Income arising from the Tenths of the Clergy, exceeded the whole Revenues of the Crown; yet the King's Treasure was thereby little or nothing encreased, which proceeded from his two great easiness; so that this was also squander'd away after the usual manner upon unworthy Favorites, and soon dispersed like the morning Dew before the Sun. I have taken notice of this, that so the Reader may observe, *that if never so much be given by the Subject, yet if it be not issued out with frugality and good Management for the publick Good, it contributes little or nothing towards the end for which it was intended.*

I have no more to note concerning Ecclesiastical Affairs, [2] only that about the end of November Pope Clement the fourth departed this Life. He was of somewhat a better Character than his Predecessor for Piety and Acts of Mortification, yet I do not find he was less greedy of Money than those that went before him: the best thing I meet with recorded of him, being this, that he would by no means be prevailed upon to grant Dispensations for Pluralities of Ecclesiastical Benefices: but after his Decease the Cardinals not agreeing upon an Election, the Papal Throne continued vacant for above three Years.

But before I conclude this Year, it will not be amiss to mention some foreign Affairs of great Moment, viz. that Conradin Duke of Swevia, Grandson to Frederick the Emperour, being confederated with Henry Brother to the King of Castile, (who was at that time chief Senator of Rome, and General of her Forces) they marched with their Armies to the Kingdom of Naples, which Conradin claim'd as Heir to his Grandfather, that they might thereby deprive the new King Charles of Anjou, of that Crown; who presently quitting the Siege of Nocera, went with his Army to meet them near the Lake of * Celano, where he gave them Battel, which was very Bloody; yet King Charles at last obtain'd the Victory, the Duke's Army being totally routed, and he himself and Henry above-mentioned, were forced to save themselves by flight: but they were both soon after taken in Disguise, and delivered up to the Conqueror, who being the Year following about to undertake a Voyage to the Holy-Land (with his Brother the King of France) the better to secure this new acquired Kingdom in his Absence, he caused Duke Conradin to be beheaded in the Market-place of Naples, and thereby confirm'd that old Observation, *That Princes seldom spare the Competitors of their Thrones, especially if they know they have a better Title to them than themselves*: but to return to the History.

King

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[5] P. 74.
The vast Sums
the K. received
are all squander'd away.

[1] P. 86.

[2] Id. ib.
The Death of
Pope Clement
the 4th, with
his Character.

Vid. Mezeray's
French History,
in the Reign
of St. Lewis,
under this
Year.

* Antiently
called Lacus
Fucinus.

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* M. W.

King *Charles* being now established in his Kingdom, he also took upon him his former Dignity of Senator of *Rome*, and Vicar of the *Roman* Empire in *Thuscany* and *Romania*,* over both which he appointed *Guido de Montfort*, younger Son of Earl *Simon* deceased, his Lieutenant: this *Simon* had about two Years since made his escape out of prison in *England*, and having married the Daughter of an *Italian* Count called *Aldebrandino*, by his Advice he did great mischiefs to the *Romans* and *Thuscans*, and a few Years after treacherously murdered his Cousin *Henry*, Son to the King of the *Romans*, as you will find when we come to that Time.

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[3] M.W.G.R.

[4] T. W.
A Parliament
or Colloquy
at London.

[5] M. W.

The Jews for-
bid to hold
Estates in Fee,
to take excel-
sive Usury, or
receive any
Quit-Rents in
Fee.

[3] The King kept his *Christmases* at *Westminster*, after which I find nothing considerable to have happened till fifteen days after *Easter*; and then [4] a great Multitude of the Noblemen of *England* were assembled at *London*, (by which expression I suppose our Author means a Parliament) but the King seem'd only to trifle away the time with them, they [5] having no great matters then brought before them, saving (and that chiefly by the means of Pr. *Edward*, and the Lord *Henry* Son to the K. of the *Romans*) that it was ordain'd, that the *Jews* (who had till then intolerably oppress'd the *Christians*, under pretence of certain yearly Fees, or quit-Rents, which they were obliged by their Bonds to pay them at certain stated times) should be forbidden to receive such Extortions for the future; and it was further order'd, that all such Muniments or Writings which the *Jews* had from them, should be delivered up to the *Christians*.

*Rot. Pat. 55.
H. 3. M. 10.
Dors.

This Law con-
cerning the
Jews, more
plainly recited
in the King's
Writ, to the
Mayor of
London.

But what was the meaning of these annual Fees abovemention'd, will be best understood by this following Writ upon * Record, directed to the Mayor and Sheriffs of *London*, which (tho dated near two Years after) refers to this Law, and gives us the best Interpretation of the words of our Author: for in this Writ the Law is thus recited, "That whereas the King has provided, by the Advice of the Prelates and Great Men who are of his Council, that no *Jew* should enjoy a Freehold in any Mannor, Lands, &c. and by Charter, Gift, Obligation, or other ways, only that they might keep the Houses, wherein they then inhabited, in Cities, Boroughs and Towns: then after other Clauses, forbidding *Jews* to plead by the King's original Writs, any where but before his Justices appointed for them, it follows, that they should only receive their principal of *Christians*, according to their Bonds or Chirographs; and at last concludes with another Clause, whereby they are also forbid to receive any perpetual Rents, called Fees, out of the Estates, or by the hands of *Christians*: wherefore the King hereby straitly enjoins, that the Persons to whom this Writ is directed, cause the said Provision, Ordinance and Statute to be proclaimed throughout their Bailiwick, &c. Given at *Westminster* 25^o die *Julii* A. R. 55^o.

[1] T. W.
E. Edmund the
K's Son, mar-
ries the Daugh-
ter of the E. of
Albemarle.

[1] Before the Dissolution of this Parliament, about the beginning of *April*, Earl *Edmund*, the King's second Son, was married to *Avelina*, Daughter and Heir to *William* late Earl of *Albemarle* and *Holderness*; and she was also to have been, after her Mother, (who was Daughter to the Earl of *Devonshire*) Lady of the Isle of *Wight*. The Wedding was kept at *Westminster* with great Solemnity, the King

and Queen, with all the Nobility being present. But this Joy did not last long, [2] for the young Lady died before the Year was ended: and I must here observe, that *Matt. Westminster* places this Marriage under the precedent Year, and *William Rishanger* under the next; but they are both mistaken, and *Thomas Wikes* is in the right, who places it in this Year, which is also confirm'd by a * Record in the Tower.

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[2] Sandford's
Gen. Hist. l. 2.
cap. 7.

* Rot. Pat. 53.
H. 3. m. 15.

Nothing else happened remarkable this Summer, till the [3] beginning of *August*, when *Richard* King of the *Romans* being return'd out of *Germany*, landed at *Dover*, bringing over along with him a beautiful young Lady named *Beatrix*, the Daughter of *Theodoric de Falkmore*, a *German* Nobleman of great Reputation, whom he had married about *Midsummer*, more for her Beauty than Portion, which was but small. But they were both received with great Joy, many of the Nobility of the Kingdom going out to meet them, and the King and Queen shewed them great Honour and Respect.

[3] T. W. A. W.

Rich. K. of the
Romans arrives in Eng-
land with a
young Wife.

[4] Some time after this *Lewis* King of *France* sent over his Envoys on purpose to *Pr. Edward*, desiring him that (with the King his Father's leave) he would come over into *France*, to treat with him concerning matters of great Moment; whereupon the Prince presently made hast to go over to that King, and as soon as they met, he told the Prince, that since he himself had vowed an Expedition for the recovery of the *Holy Land*, he desired the Prince, as a young and valiant Warrior, and experienced Commander, to accompany him thither: to which request the Prince replied, that his Majesty might very well know that the King his Father's Revenues were extreamly wasted and reduced by reason of the late Civil Wars; and that as for his own particular Appenage, it was much too small for so great an Undertaking; whereupon the King of *France* generously offer'd to lend Prince *Edward* the sum of thirty thousand Marks, which he accepting of, immediately mortgaged to the King of *France* the Revenues of *Bourdeaux*, for the true payment of the Money.

[4] G. R.
K. of France
sends Envoys
to P. Edw.
desiring his
Presence in
France;

And his Com-
pany to the
Holy-Land, but
the Prince ex-
cuses himself.

The French K.
offers to lend
P. Edw. 30000
Marks, which
he accepts.

As soon as the Prince had finished this Agreement with the *French* King, he return'd into *England* about the beginning of *September*, that he might prepare all things ready for his Voyage to the *Holy-Land*, and at his Return was received by the King his Father with great tenderness, who since he could not go that Pilgrimage himself, was highly pleased with his Son's undertaking it.

The Prince
returns into
England,

The Annals of *London* do here also further inform us, that the Prince now also brought over with him the King of *France's* Charter, containing the Articles between them for the intended Expedition; which being set down at large in those Annals, and are nowhere else to be found (as I know of) I shall give you the Heads of them from the *French* Original, which begins thus.

And brings o-
ver a Charter
concerning
the late Agree-
ment between
himself and
K. Lewis.

Lewis by the Grace of God King of *France*, to all those to whom these Presents shall come, Greeting, &c. and then it recites; that whereas he and the Lord *Edward*, eldest Son to the King of *England*, were agreed to go on Pilgrimage beyond Sea, they have entered into these mutual Covenants.

The Heads of
this Charter.

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1. The King of *France* agrees to lend the said Lord *Edward*, the sum of seventy thousand Pounds *Turnois*, of which two thousand five hundred pounds were to be paid to *Gaston* Viscount *Byern*, for the Passage of the Lord *Edward* and his Forces through the Country of the said Viscount.

2. All the rest of the said Sum was to be laid out for Horses, Victuals and Shipping, for the transport of the said Lord *Edward* and his Forces, and was to be paid according to his Orders by King *Lewis's* Officers, to such Persons to whom the said Money should become due.

3. The aforesaid Sum of seventy thousand pounds *Turnois* so lent, was to be paid in the space of seven Years, at two half yearly payments to be made at *Paris*, during the said Term, and was to be raised out of the Customs of the City of *Burdeaux*, by the Constable or Lieutenant thereof. The first payment of which Sum was to begin from the Year of our Lord 1273. and for the better assurance of this Obligation, the Lord *Edward* was to procure the King his Father's Letters of Confirmation.

4. But for default of such payment, the King of *France* might seize all the Goods, both moveable and immoveable, belonging to the said Lord *Edward*, within the Kingdom of *France*.

5. Also the Lord *Edward* further covenants with the said King, that he will by the Feast of *Assumption* of the Blessed Virgin next ensuing, be ready at *Aigues mortes*, to sail to the *Holy-Land*.

6. The Lord *Edward* further engages in good Faith, that he will come and pass over sooner if it be possible; and that in his Journey through *France*, he will do no damage neither by himself nor his People, in the Territories of the said King, nor either of his Brothers within that Kingdom, either in his going, staying, or returning from the said Pilgrimage.

7. Lastly, when the Lord *Edward* shall be engaged in this Expedition, he shall be obedient to King *Lewis* as one of the Barons of his Realm, and perform his Service to him as his Sovereign Lord.

All which Articles the said Lord *Edward* hath sworn upon the Holy Evangelists to do and observe in good Faith: and for the true performance of which, the said Lord *Edward* was to deliver at *Paris* one of his Sons as a Hostage, to be redelivered upon the return of his Father from the said Pilgrimage; but if he died before that time, the Child was to be delivered to his Mother, or to the King of *England* if she were then dead: and for the true performance of this the King of *France* obliges himself and his Heirs. Then the Charter thus concludes.

In witness whereof the said Lord *Edward* has delivered to the King of *France* his Letters Patents, sealed with his Seal.

Then also follows this Memorandum,

And further, *Henry* eldest Son to the King of *Almain*, *Gaston* Viscount of *Byern*, *Thomas de Clare*, Brother to the Earl of *Gloucester*, and the Lord *Roger Leyburne*, have at the Request of the Lord *Edward*, sworn upon the Holy Evangelists, that they will do their endeavour, and will truly counsel and advise him to observe and keep all the aforesaid Covenants; and in Testimony of which the said King *Lewis* hath also caused his Seal to be put to this Charter, dated *Ann. Dom.* 1269.

[4] Not

[5] Not long after Prince *Edward's* return, the King was resolved to translate the Reliques of *Edward the Confessor* (for which he had a great Veneration) into a richer Shrine, and therefore summon'd to meet at *Westminster* on the 13th of *October* all the Prelates and Great Men of *England*, as also the richest Men of all the Burroughs and Cities in the Kingdom, that they might render this Solemnity the more illustrious; who being all assembled, besides a vast confluence of ordinary People, the King himself and his Brother King *Richard* began the Ceremony, by taking up the Coffin wherein the said Bones or Reliques were laid, upon their Shoulders; to which also the Princes *Edward* and *Edmund*, with divers other Earls and Great Barons put their helping hands: and being so carried, it was placed in a Shrine of Gold, adorn'd with precious Stones, which was then set in a high and eminent place with all due Reverence, where I suppose they continued till the 27th year of *Henry* the Eighth, when the greater Monasteries being dissolved, all such Shrines and Reliques were removed as superstitious.

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[5] T.W. p. 88.

K. Henry summons the Nobility, &c. to be present at the Translation of St. Edward's Reliques into a richer Shrine.

[1] And our Author further adds, that all these things were perform'd in the Abbey Church of *Westminster*, which the King had then newly rebuilt at his own expence, of such a Structure as the like was not to be seen in Christendom; and then also the Monks first consecrated the Sacrament in it after this new building: when the Service was over, there was a great Feast in *Westminster-Hall*, at which the King intended to have worn his Crown, but for some reasons he alter'd his Resolution. And it is here to be noted, that at this Festival the Archbishop of *York* (who in the Absence of the Archbishop of *Canterbury* then beyond the Seas, perform'd all the sacred Functions at this Solemnity) had his Cross carried before him as Primate of *England*, which gave great Offence to most of the Bishops, because they had not seen the like before.

[1] Id. ib.

The Abbey of Westminster, being newly rebuilt, is new Consecrated.

But to return to matters of greater moment: As soon as this Solemnity was over, the Nobles of the Kingdom began to treat in Parliament concerning the weighty Affairs thereof, in which there was granted to the King, by the consent of the major part of the great Men, a Twentieth part of the moveable Goods of all Persons in the Kingdom.

A Parliament gives the King a 20th part of all moveables.

But the Annals of *London* are more express in this matter, and say, that all the *Freemen* of the Kingdom of *England*, as well of the Towns, as of the Cities and Burroughs, gave the King a Twentieth part of all their moveable Goods, towards his expences in his intended Voyage to the *Holy-Land*; for it seems he had not yet declared that he would not go himself in Person.

A fuller Account of it from the Annals of London.

I cannot but here observe from our former [2] Author, that altho the Persons assign'd by the King's Council for collecting this Tax of a Twentieth part, had been named for all the Counties of *England*, yet could not the Money be suddenly rais'd, so that the Assessment was delay'd till toward *Lent*, and the Collection of it till *Midsummer* following, which caused great murmuring and discontent among the People; because altho a great deal of their Stock was now sold off, or killed, and their Barns emptied, yet were they forced to pay the Tax, not only according to what they were then possessed of, but as their Stock was at *Michaelmas* before, by

[2] T.W. ib.

A great Abuse in collecting the late Tax, which causes Discontent.

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which means a much greater sum of Money was raised than at first intended; but the best use made of it then, was, that a great part of it was reserved to assist Prince *Edward* in his intended Expedition to the *Holy-Land*.

[3] *Id. ib.*

The E. of Gloucester being discontented, refuses to come to Parliament.

[3] About this time the Earl of *Gloucester* following ill Advice, refus'd to appear, tho summon'd to the two last Parliaments, sometimes pretending that he was afraid to be taken and put in Prison, by the contrivance of Prince *Edward*, who it seems was very jealous of his Proceedings; sometimes that he was afraid of the Incursions of the *Welsh*, if he should leave *Wales*, where he then resided, and come up to *London* with his Attendants: but at last, after many Disputes and angry Messages, lest a Civil War might again break out, it was by the mediation of divers Prelates and Noblemen agreed between the aforesaid Prince and Earl, that they would submit all differences to the determination of *Richard* King of the *Romans*; which Agreement the King himself not only approved of, but both the Parties abovementioned engaged by their Charters and mutual Oaths to stand to it; but this Business did not take effect till the beginning of the next Year.

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[4] *Annal. de London.*

A great Parliament at London, and what was done at it.

When the King and Queen had kept their *Christmas*s (together with several of the Great Men of the Kingdom) at his Mannor of *Eltham*, he removed from thence to *London*, and on *Hock-munday*, that is, on the Monday after *Easter* (according to the [4] *City Annals*) all the Bishops, Earls, Barons, Knights, and *Freeholders* of the whole Realm, assembled at *Westminster* by the King's Writs of Summons, and there they treated of divers matters relating to the State of the Nation, but were chiefly taken up in reconciling the Differences between Prince *Edward* and the Earl of *Gloucester*; for it seems, they were not satisfied in some Points of the Award or Sentence, that the King of the *Romans* was ready to make; and therefore the time for the perfecting of it was put off till eight days after *Midsummer*, and the Parliament was thereupon adjourned to that Time.

[5] *Id. ib.*

The Bps renew the Sentence of Excommunication against all Transgressors of the Great Charters.

[5] But in the mean while (*viz.* on the 13th of May) the Bishops of *Winchester*, *Worcester*, and *Hereford*, with divers others of their Order, came to *St. Paul's Church*, and there caused the Bull of Pope *Honorius* the Third to be publicly read, whereby he confirm'd the Charters of *Liberties* and *Forests*, which had been granted by King *Henry* at the beginning of his Reign; and at the same time also the Bishops solemnly pronounced the Sentence of *Excommunication* against all infringers of those Charters, as had been formerly published in *Westminster-Hall*, A. D. 1253. But to return to Temporal matters.

[1] *T.W.A.W.*

The Award of the K. of the Romans at last published, with the Heads of it.

[1] Then eight days after *Midsummer*, almost all the Great Men met again at *London*, to try how they could best accommodate the aforesaid Differences between Prince *Edward* and the Earl of *Gloucester*; and at last, after many Conferences and Consultations had with the said Noblemen, King *Richard* finished his Sentence or Award between the Parties, which was then openly read, and was to this effect.

*

1. That

1. That if the Lord *Edward* went beyond Sea for the *Holy-Land* Anno Dom. MCCLXX. in *September* following, the Earl of *Gloucester* should also go over the next *March*, if he were not hindred by sickness, or some other reasonable Cause, such as should be allowed by the said King of the *Romans*.

2. And if the said Earl should assist the Lord *Edward* with any Men in this Expedition, then the King of *England* was to allow him the sum of eight thousand Marks, and should also find him an able Ship for his Transportation; but if he did not assist the Prince with any Forces, the Earl was then only to receive three thousand Marks, which was to be expended upon this Voyage, and on nothing else.

3. That whither the Earl went over beyond Sea or not, he should not move or make any War or Disturbance in *England*.

4. And for the true Observation of the Premises, the said Earl was to submit himself to the Jurisdiction of the Archbishops and Bishops of *England*, to be by them *excommunicated* if he any ways transgressed the said Articles, and should also submit all his Lands to an *Interdict*.

5. And for the farther performance of all these things, they were bound under the Penalty of *twenty thousand Marks*, to be in the disposition of the King of the *Romans*, how it should be laid out.

6. And lastly, for the better security of the Earl's sincere intentions, he was presently to deliver up two of his Castles in the Marches of *Wales* (called *Tenbrig* and *Henly*) to such Persons as the King of the *Romans* should appoint for the safe keeping of them, till such time as it should be certainly known, that the Earl was arrived in the *Mediterranean*.

These (our Authors tell us) were the chief Heads of this Award drawn up in the *French* Tongue, which are very long and intricate; and which the King himself wisely observing, that he might take away all occasion of Dispute, he, by the consent of all Parties took upon him to explain and moderate the said Sentence in divers particulars. This Declaration was published at *Reading* on the eighteenth of *July*, and was so much to the Satisfaction of the Earl of *Gloucester*, that he willingly submitted to it: and he with his Dependants again attended at the King's Parliaments and * *Treaties*, together with the other Noblemen of the Kingdom, who all rejoiced that this troublesome Dispute was so happily brought to an end. * *Traſtatum*.

But to look a little back to the beginning of this Summer, when the Peace had like to have been interrupted by a foolish Quarrel that fell out between two Noblemen, which might have proved of dangerous Consequence, if it had not been stopped in time; and it happened thus:

[2] There had been (it seems) a long Suit depending between *John* Earl of *Warren* and *Surrey*, and *Alan* Lord *Zouche*, concerning a certain Mannor; which coming to a Trial before the King's Justices in *Westminster* Hall, there happened to pass very reproachful and unseemly Language between the Earl and the said Baron, which at last came to blows, insomuch, that the Earl and his Followers being privately armed, set upon the Lord *Zouche* and his eldest

Anno Dom. Son in open Court, and wounded them both, but the Father mortally, as it was then fear'd.

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[3] *Id. ib.*

Flies to his
Castle of Ry-
gate.

[3] But as soon as the Earl had done this rash and wicked Action, he with his Attendants being too strong to be apprehended, presently took Boats, and passing over the Water, fled to his Castle of *Rygate* in *Surrey*, where he fortified himself, and stood upon his Guard. The King, and Prince *Edward* his Son, being highly provoked at this Insolence, and resolving not to let it pass unpunished, sent to the Earl and summon'd him to appear at Court, and abide the Law of the Kingdom: but the Earl fearing the Imprisonment of himself and his Adherents, rashly refus'd to submit; whereupon Prince *Edward*, with some Forces, was sent down to bring him to Obedience; but as soon as the Prince arrived before the Castle, the Earl considered better of the bad Consequences of this matter, and being persuaded by the Earl of *Gloucester*, and the Lord *Henry*, Son to the King of the *Romans*, yeilded himself Prisoner, and was by the Prince brought up to the Court the last of *June*, where he underwent the Judgment of the Law, and was fined five thousand Pounds to the King, and two thousand to the Lord *Zouche* and his Son, for the Wounds and Injuries they had received.

But being a-
bout to be
besieged, sur-
renders him-
self.

[4] *Id. ib.*

[4] And it was also further enjoyn'd the said Earl, that he with fifty of his Followers, who had been all concern'd in this Fray, should walk from the *New Temple* to *Westminster Hall* on Foot, and should there take an Oath before the King's Justices, that they had not acted what they did out of any *Prepense Malice*, but only out of sudden Heat and Passion; and so this threatening Tempest was happily blown over.

[5] *Id. ib.*

[5] But I must here observe, that our Author farther relates (and that very truly) that the Lord *Zouche*, who was pretty well in Years, fell into a Fever by reason of his Wounds, and died thereof in a few days following, to the great Grief of all his Friends. [1] And Sir *William Dugdale*, in his Baronage of *England*, (from an antient Inquisition still upon Record, and found upon the Death of this Lord) hath proved, that he indeed deceased this Year; tho he is himself mistaken, when following the Authority of *Matt. Westminster*, he makes this Fray to have happened in the Year 1268, whereas it appears by *Wikes's Chronicle*, and the Annals of *Waverly*, that it fell out this very Year, not long before Prince *Edward's* Voyage to the *Holy-Land*, which has (I suppose) led some of our Modern Historians into the like Mistake; and Mr. *Speed* places it in 1269, and fallly supposes the Lord *Zouche* to have been chief Justitiary of *England*. But to leave this Digression; these things being thus concluded, Prince *Edward* was preparing himself for his Voyage to the *Holy-Land*, which he now resolved to undertake with all the speed he could.

[1] *Vol. I.*
p. 689.

[2] *T.W.*

[2] In order to which, I must here give you an Account of what had already passed this spring in *France*, where not long after *Easter* King *Lewis*, together with his two Sons, Prince *Philip* and *John*, and a great multitude of the *French* Nobility, had begun their Journey for the *Holy-Land*; but before he departed, Prince *Edward* passed

passed over into *France*, as well to take his leave of that King, as also to settle some Affairs that were still to be concerted between them; and when he had dispatched what he had to do, return'd immediately into *England* to submit to the Award of his Uncle, the King of the *Romans*, and so this Affair rested till the beginning of *July*, as you have already heard.

[3] About this time also Prince *Edward* resolving to make himself Popular, and to take away all occasion of Discontents at home, interceded with the King his Father to restore to the City of *London* their antient Privileges, and particularly the Power again to elect their own *Mayor* and *Sheriffs* in the same manner as they had done before the late Civil Wars; in consideration whereof, the Farm which the City should for the future pay the King, was the sum of four hundred Pounds *per Annum*, out of the Fines and Issues of the City, whereas before they paid but three hundred Pounds *per Annum* for the same; and then the same Week the Citizens chose *John Adrien* for their *Mayor*, and *Philip Taylor*, and *Walter Potter* for their *Sheriffs*, who on the eighteenth of *July* following, were presented to the King, and sworn before him. I mention this, because that since their last Pardon they had not yet chosen those Officers, but they had been solely nominated by the King, out of such Citizens as he could best confide in.

And the same Annals further relate, that in a Parliament or Council held this Year at *Winchester* (not long before the Prince's departure for the *Holy-Land*) the King, with the Assent and in the presence of the Bishops and Great Men of *England*, with great solemnity took off the Cross (which till then he wore) and deliver'd it to his Son Prince *Edward*, in token he was to undertake the *Crusado* in his Father's stead. Which is also confirmed by the King's Writ or Declaration (still upon * Record) wherein he sets forth, that whereas it was not thought safe or expedient by the Prelates, Great Men, and * Community of the Kingdom, for himself and his Son to be both absent from *England* at once; therefore to perform this Vow, he substitutes the Lord *Edward* his Son to undertake that Expedition, and thereby also bestows upon him all that remain'd to be gather'd of the late Tax of the Twentieth part: This was dated at *Winchester Aug. 4. A. R. 54*: and it was to help to defray the charge of this Expedition.

But to give you some Account of the Prince's Actions before his Departure.

[4] It was now about the tenth of *August*, when he went from this Parliament at *Winchester*, down to *Portsmouth*, in order to begin his Voyage; but when the Forces he carried with him were ready to go on Board, and the Fleet only wanted his Order to sail, he received the News that *Boniface*, Archbishop of *Canterbury*, was lately deceased in his own Country of *Savoy*, being a Person not fam'd for Learning, or any other extraordinary Quality, except his Charity to the Poor, and Nobility of Birth.

The Prince hereupon having a great desire to make one *Robert Burnel* his Chaplain (and a great Favourite of his) Archbishop, immediately left the Fleet, and rode away to *Canterbury*, to see if he could prevail with the Monks to elect him; but they having newly

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[3] Annal.
London.

The King in a Parliament at *Winchester* delivers up the Cross to the Prince, and gives him what remain'd of the late Tax.

*Rot. Pat. 54.
H.3. M.7. Int.

[4] T.W. p. 92.

The Prince being ready to sail, stops his Voyage on the death of *Boniface* ABp of *Canterbury*.

before

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And goes to
Canterbury to
get the Monks
to elect his
Chaplain ABp
who had
chose another
before.

before received from the King their *Congé d'elire*, had already E-
lected their Prior Archbishop, with an unanimous Consent; where-
upon the Prince finding himself frustrated in his Design, return'd
back again to *Portsmouth*, and going on Board, passed over into
his own Dominion of *Gascoigny*; for the Princess his Wife was gone
over thither before him, in order to accompany him in this long
and hazardous Expedition; having left their two Sons, *John* and
Henry, to the care of King *Richard* their Uncle: for the King of
France was so generous as to trust to Prince *Edward's* Honour, with-
out taking either of his Sons as a Hostage, for the performance of
the Conditions.

The Prince
and Princess
pass through
France to *Ai-
gues Mortes*,
but find K.
Lewis gone
from thence
before.

The Prince and Princess being safely arrived, quickly left *Gas-
coigny*, and took their Journey through *France* and the Borders of
Spain, as far as *Aigues Mortes*, where he intended to take Shipping
for the *Holy-Land*; but when he came thither, he found the King of
France had some three Months before sail'd for *Tunis*, his Brother
Charles King of *Sicily* promising speedily to follow him, who was
the chief cause of King *Lewis's* making this unfortunate Voyage in-
to *Africa*, and thereby diverting him from his principal Design,
which was for the *Holy-Land*.

[5] Id. p. 93.

The K. of
France goes
over to *Tunis*,
and on what
Occasion.

[5] But to give you the true ground and motive of this Expedition,
it was, that the King of *Tunis* having for some time been Tributary
to *Frederick* the late Emperor, as King of *Sicily*, therefore the pre-
sent King *Charles* (tho of another Family) expected the same Tri-
bute to be paid to him, as was before to the Emperor, which the
King of *Tunis* refusing, *Charles* was resolved to make use of this
lucky Opportunity of the *French* Fleet and Army to force him to it:
so King *Lewis* and his Noblemen landing near the City of *Tunis*,
they began vigorously to besiege it; but when the *Moorish* King saw
the danger he was in, he thought it his best way to offer the payment
of the whole arrears of this Tribute; and this being accepted of by
the two brother-Kings, they made a Truce with him for thirty
Years, upon which he made them, and the great Lords their Attend-
ants, divers rich and noble Presents. This account of our Author,
as also of *Vignier* in his *Historical Bibliotheque*, seems more probable
than that of most of the *French* Historians, who relate, that their King
with his Brother *Charles*, sail'd to *Tunis* with this Army, as well
because it was of great Consequence to their main Design to be
master of those Coasts from whence the Sultan of *Egypt* received
great Assistances, both in Men and Money, as also because the King
of *Tunis* had given great hopes of his turning *Christian*, in case they
would help him to force his Subjects to submit to it. But certainly
the *Moorish* King pretended this latter only to amuse them; for I can-
not see that the taking of this City could have been any Advan-
tage to the Conquest of the *Holy-Land*, which lay so far remote from
it; or if the King of *Tunis* had desired their Company, why should
he refuse them admittance when they came thither, as he certain-
ly did? and therefore I rather adhere to *Vignier*, and to our Author,
who agree in the Account of the reasons of this Expedition as above
related. But to return to our History.

The King
thereof pro-
fers to pay
them Tribute,
which is ac-
cepted.

[1] Prince

[1] Prince *Edward* having left the greatest part of his Forces behind, to follow him with his Fleet, passed over the *Mediterranean* from *Aigues Mortes* to *Tunis*, where he arrived presently after the conclusion of the Truce abovementioned; but being not at all pleased with this Undertaking, nor finding the King of *France* at that time ready, nor indeed (as he thought) design'd to sail for the *Holy-Land*, he took his leave of him and repass'd those Seas, resolving to winter at *Trepani* in *Sicily*: but the Prince had not been long gone, when the *Christian Army* that lay encamped at *Tunis* were taken with malignant Fevers, and bloody Fluxes, thro' the extreme heat of the Country, as also for want of Water and fresh Provisions; so that besides common Soldiers, a great many of the highest Rank died there; with both which Distempers King *Lewis* himself being also seized, deceased on the five and twentieth of *August* in the fifty fifth Year of his Age, and forty fourth of his Reign, with all the marks of Devotion and entire Resignation of himself to God; being a Prince of that signal and extraordinary Piety and Charity, that he was some Years after canonized for a Saint. His Son *Philip* the Third, surnamed the *Hardy*, a young Prince of great Courage, and who attended his Father in this Expedition, succeeded him in the Throne, and presently return'd home, carrying back his Father's Body to be buried at *St. Dennis*.

Anno Dom.
MCCCLXXX.

[1] Id. ib.

P. Edward passes the Mediterranean to Tunis, where he finds the French K. not ready to sail to the Holy-Land.

The Prince repass'd that Sea, to winter in Sicily.

The Christian Army before Tunis taken with Fevers and Fluxes,

which carry off a great many, and at last K. Lewis himself.

His Character.

His Character.

[2] But whilst Prince *Edward* passed the Winter in *Sicily*, he consulted with his Cousin the Lord *Henry*, and the other Great Men that accompanied him, how he might best secure the Peace of *Gascoigny* during his Absence, who all advis'd him to send back *Henry* into that Province, to command and defend it for him; whereupon in compliance with the Prince's Desires, he pass'd over into *Italy* in order to get into *Gascoigny*, and coming as far as the City of *Viterbo* in *Italy*, he there met the new King of *France*, and his Uncle the King of *Sicily*, in their return home; where staying with them some time to promote the Election of a new Pope (which the Cardinals there Assembled were then very busy about) as this Prince was one Morning betimes hearing Mass at the Church of *St. Laurence*, his two Cousin Germans *Simon* and *Guido de Montfort* (who were then banish'd *England*) entering the Church with divers armed Attendants, taking this Advantage, broke in, and falling upon him murdered him before the High-Altar, in revenge (as they pretended) for the deaths of their Father and Brother, who had been slain at the Battel of *Evesham*: an Action both cowardly and cruel; for neither this Prince nor his Father the King of the *Romans* were so much as present at that Battel, being then both Prisoners, nor (if they had) could they have been guilty of their deaths, unless they had killed them with their own Hands. [3] The Body of the murdered Prince was the next Year after brought over into *England*, and buried at the Monastery of *Hayles* in *Gloucestershire*, which his Father King *Richard* had some Years before founded for the Monks of the *Cistercian Order*.

[2] Id. p. 94.

The Prince sends the Lord Henry his Cousin to command in Gascoigny.

The Prince sends the Lord Henry his Cousin to command in Gascoigny.

The Prince sends the Lord Henry his Cousin to command in Gascoigny.

The Prince sends the Lord Henry his Cousin to command in Gascoigny.

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The Prince sends the Lord Henry his Cousin to command in Gascoigny.

The Prince sends the Lord Henry his Cousin to command in Gascoigny.

The Prince sends the Lord Henry his Cousin to command in Gascoigny.

But to return to Prince *Edward*: he spent all the rest of this Winter in *Sicily*, exercising his Men, and preparing his Fleet in order to sail for the *Holy-Land* the Spring following; on which Expedition he was so resolutely bent, that upon the casting away great part

[3] Id. p. 95.

P. Henry's Body carried over into England, and buried at Hayles.

P. Henry's Body carried over into England, and buried at Hayles.

P. Henry's Body carried over into England, and buried at Hayles.

P. Henry's Body carried over into England, and buried at Hayles.

P. Henry's Body carried over into England, and buried at Hayles.

P. Henry's Body carried over into England, and buried at Hayles.

P. Henry's Body carried over into England, and buried at Hayles.

P. Henry's Body carried over into England, and buried at Hayles.

P. Henry's Body carried over into England, and buried at Hayles.

P. Henry's Body carried over into England, and buried at Hayles.

Anno Dom.
MCCLXX.

[4] W. R.
Great part of
the French
Fleet cast a-
way; P. Ed-
ward's gene-
rous Reply
thereupon.

part of the [4] Fleet belonging to the King of *France* and *Sicily* by a violent Storm, as it lay at Anchor in a Haven of that Isle, and those about the Prince endeavour'd to discourage him by this ill Success, from undertaking his intended Voyage, he smote his Breast, and swore, *by the Blood of God, that tho they all deserted him, yet himself would go to Acon, if he were not attended with any more than Fowen his Groom.*

But before I conclude this Year, I shall give you an Account of some Affairs of less moment, which since they could not be inserted in due order of Time, because it was not express'd in my Author, are therefore reserved for this Place: the most remarkable of which is, [5] that a War was now like to break out between *England* and *Flanders*, by reason that the Countess of that Province had seized the Goods of all the *English* Merchants, as also of all others the King's Subjects of *Ireland*, *Wales*, and *Gascoigny*, trading in that Country, to the value of forty thousand Marks, in satisfaction of certain annual Pensions and Payments, which she alledged were due to her from the King of *England*, and he in requital did the same by her Merchants, who were also all seized, and put in Prison, and all Commerce and Trade of *Wools* and other Commodities, were forbidden with those of *Flanders*; and because the Merchants of other Nations, that had still Liberty to carry out *Wool*, were found to sell it in *Flanders*, therefore all Exportation of *Wool* was forbid by the King's Writ, or Proclamation, not only into *Flanders*, but any other Parts beyond the Sea, until the Feast of *St. John Baptist* next ensuing. I mention this, to shew that our Kings could antiently, by their bare Proclamation, hinder the Exportation of what Commodities they thought fit.

Anno Dom.
MCCLXXI.

[1] M. W.
The King falls
desperately
sick, but re-
covers.

This Year the King kept his *Christmases* with his Queen, and many of the Nobility at *Westminster*, but in the end of *February* following [1] he was seized with so great a fit of Sickness, that despairing of his Recovery, he caused himself to be prayed for in most Churches; and the Monks of *Westminster* went barefooted in a Grand Procession from their own Church, to that of the *Knight's-Templars* in *Fleetstreet*, and there sung a solemn Mass for his Recovery, which soon after followed; but whither for that reason I will not determine.

* Cl. 55. H. 3.
M. 8.

But I shall here give you the Contents of two Records in the *Tower*, since they serve to let us know some things relating to the History of this Time, which are not to be found elsewhere. The * first is a *Latin* Letter of the King's to Prince *Edward*, written presently after his Recovery, commanding his Son's return into *England* with all convenient speed, for divers Reasons therein mention'd; it is dated the sixth day of *February*, this Year. The other is *French*, in nature of † a Deed or Obligation; wherein it is first recited, that the King having in his late Sickness vowed, that if he recovered he would go in Person to the *Holy-Land*, had now taken up a great sum of Money, of his Brother K. *Richard*; and therefore for the security of the said Money, he hereby engaged all the Revenues of his Kingdom (except some few particulars there expressed) till the said Money be paid, but how much it was is not said; nor do I believe it was ever received at all, K. *Henry* dying this Year, as you will find

† Pat. 55. H.
3. M. 16. in-
tus.

anon. *Note*, This last Record bears date the sixth of *April*, after the former, and are both printed in *Pryn's** second Volume of *Papal Usurpations*. But it is time to say somewhat of Prince *Edward*, whom we left in *Sicily*. Anno Dom. MOCLXXI. Page 1046, 1057.

[2] This Year early in the Spring, that Prince putting his small Army on board, set sail from *Trepani* for the *Holy-Land*, and taking *Cyprus* in his way, was kindly received by the King and great Men of that Island; and having there refreshed himself a while, he again set sail for the City of *Acon*, where he came very seasonably, it being then like to be taken by the *Sultan* of *Babylon*, had not this Prince's arrival with fresh Forces prevented him: but when he had stayed there about a Month to refresh himself, as well as his wearied Souldiers, he then marching out at the head of seven thousand *Christians*, took the City of *Nazareth*; but when in their return to *Acon* the Enemies pursued them, watching for some Advantage, they suddenly turned, and making head, vigorously repulsed them, killing many of the *Saracens*. Then about *Midsummer*, Prince *Edward* having heard that they had got together in great numbers at a place called *Cabon*, being about fifteen Miles distant from *Acon*, he marching out one morning early before break of day, surprized the *Saracens*, and killing about a thousand of them, put the rest to flight, taking great store of rich Booty from them; and then going as far as the Castle of *Pilgrims* near the Sea, they lodged there that Night, and return'd to *Acon* next day: the Prince also with the *Christians* then in the Town, made not long after a third Expedition, as far as a place called *St. George's*, where they kill'd some *Saracens*, and finding none able to resist them, they return'd home in safety. [2] W. H. p. 390. An Account of Pr. Edward's Actions after he arrived at the Holy-Land.

[3] Things had hitherto proceeded prosperously, for Prince *Edward* had now gain'd so great a Reputation, that the chief Commanders of the *Saracens* began to be in great fear of his Success, and therefore they resolv'd, if they could, to dispatch him; for which end the Admiral or Governor of *Joppa* sent privately to Prince *Edward*, as if he would become a *Christian*, but the Messenger that brought the Letters (tho it was unknown to the Prince) was one of those Assassins who were bred up on purpose that they should dispatch whatsoever *Christian* Prince, or great Man, was judged to be an inveterate Enemy to their Superstition, upon a belief that they merited Paradise for so doing; so this Fellow going two or three times with Letters and Messages from his Master to Prince *Edward*, his Servants began to have the less Suspicion of him: however before they admitted him, they searched his Girdle, and other places for Weapons, as the Custom then was; but it seems it was not done so thoroughly as it ought; for one time having delivered his Letters to the Prince, who was then bareheaded, sitting near a Window, with only a loose Coat about him because it was very hot, he seemed well satisfied in the Account this Messenger gave him, that the Admiral his Master intended to be with him in a few days, in order to fulfil his Promise: but when the Prince called this Fellow again to him, to ask him some further question, he, bowing towards the Prince, as if it had been in way of Respect, pulled out a poison'd Dagger on the sudden from under his Girdle, and was just going

Anno Dom.
MCCCLXXI.

The Prince is
wounded by
an Assassin,
whom he kills
on the spot.

[4] JW. p. 97.

[5] Id. ib.

The Prince is
in great dan-
ger from the
Wound.

But is reco-
ver'd by the
skill of an Eng-
lish Chirurge-
on.

The Story of
the Princess
Eleanor, her
sucking the
Venom out of
her Husband's
Wound, a
meer Romance.

* In Middle-
sex.

[1] Id. ib.
The Sultan of
Babylon con-
gratulates the
Prince's Reco-
very, and pro-
tests his Inno-
cency of the
late Attempt
upon his Per-
son.

going to stab the Prince into the Belly; but he seeing the blow coming, warded it off with his Arm, and there received a dangerous Wound; yet as the Villain was about to redouble the stroke, the Prince had no other way to save himself, but by lifting up his Foot, and striking him such a blow on the Breast, that he beat him down backward; [4] then the Prince leaping up, ran in to him, and wrested the Dagger out of his Hand with that Violence, that he gave himself a slight hurt in the Forehead, but however he quickly dispatched him: whereupon his Servants (who it seems were not then present) came running in, and one of them (his Musician) being in a great Rage and Fright, took up a Stool and struck the dead Man's head with that force, that he beat out his Brains, for which the Prince severely reprov'd him, as he had good reason.

[5] So soon as this sad News was dispersed into the Palace and Town, all Places were filled with Outcries and Lamentations; but notwithstanding all the Remedies the Chirurgeons could apply, the Wound within a few days began to gangreen, insomuch that all People despair'd of his Life, except one *English* Chirurgeon who would undertake to cure him, provided he might be left entirely to his Management, and that the Princess his Lady (who was then in the Room) might be removed, and not permitted to come to him till he was past Danger; which being done (tho not without great Grief and Reluctancy on her part) the Chirurgeon presently began to cut off the gangreen'd Flesh to the quick, which put the Prince to great Torment, but then by the application of proper Remedies, the wound was so well heal'd in fifteen days time, that he was able to mount on Horseback. Thus was this magnanimous Prince by his own Courage, assisted through God's particular Providence, twice delivered when he was in the utmost danger of his Life.

But I cannot leave this Subject without taking notice, that the vulgar Story of the Princess *Eleanor* her sucking the Venom out of her Husband's Wound, and to which he owed his Recovery, is a meer Romance; this action of hers not being mention'd by any antient Author of, or near that time: the first in whom I can find it, being Mr. *Camden* in his * *Britannia*, from whom it is also transcribed by Mr. *Speed* in his Chronicle, and both of them cite *Rodericus Toletanus*, or *Roderick* Archbishop of *Toledo* for it: but tho I have diligently searched that Author's History of *Spain*, yet I cannot find it any where there, nor I believe any body else; for at the end of his Work he tells the Reader, that he finish'd it *Ann. Dom.* 1243. *Era Hispan.* 1281. which was above ten Years before Prince *Edward* married the Princess *Eleanor* of *Castile*, and near twenty Years before this accident of the Assassin's wounding that Prince. But to return to our History.

[1] When the Sultan of *Babylon* heard what had happened to Prince *Edward*, he could scarce believe he had been alive; but so soon as he was assured of it, he sent Ambassadors to him, to congratulate his Recovery, and they solemnly protested in their Master's Name, that this Wickedness had never been done by his procurement or privity; with which the Prince seeming satisfied, he honourably dismissed them. But what he did further, our Authors do

*

not

not tell us, only it is certain, that he staid in *Palestine* till the Summer following, and that during his abode there, [2] the Princess *Eleanor* was brought to bed of a Daughter, who from the Place of her Birth, was named *Joan de Acres*, or *Acon* (as we call it in *English*) and was afterwards married to *Gilbert* Earl of *Gloucester*.

But it is now time to look back into *England*.

And here I can find nothing considerable happened after Prince *Edward's* departure, [3] except the death of *John* his eldest Son, a Child of great Beauty, and Wit, for his Age: he died about the beginning of *August*, and was buried in the *Abbey Church* of *Westminster*, where his Tomb is still to be seen.

As for Ecclesiastical Affairs, I can meet with nothing remarkable to have happened this Year, but that [4] the Cardinals after many delays, not being able to agree upon any one of their own Body, whom they could think fit to make Pope, at last agreed to choose *Theobald* Arch-deacon of *Liege*, who was then with Prince *Edward* to perform his Pilgrimage in the *Holy-Land*. So soon as this Prelate heard of his Advancement, he took his leave of the Prince, and went straight for *Italy*, to receive his Consecration, by the name of Pope *Gregory* the Xth.

Where King *Henry* kept his *Christmas* this Year is uncertain; the Continuator of *Mat. Paris* makes it to have been at *Westminster*, but I believe he is as much mistaken in this, as in the Year it self, which he falsely makes to be 1273. and the *Annals of Waverley* (whose Authority I prefer) say expressely, that the King kept his *Christmas* in the Castle of *Winchester*, and staid there till after *Twelve-tide*, by reason of some Indisposition he then laboured under; but that presently after the Holy-days he quitted that Place, and return'd to *Westminster*, because the Justices Itinerant (to wit) Master *Roger de Seison* and his Associates, were to sit at *Winchester*; for the King being aged and infirm, had no mind to stay there during so great a concourse as must needs come to such a vast Assembly.

I can find nothing worth relating to have happened in *England*, during this Spring and the following Summer, except [5] the death of *Richard* King of the *Romans*, who had been sometime before *Christmas* seized with the Dead-pally, so that he had neither the use of his Tongue, nor other Members; and having languished all Winter, he departed this Life at his Castle of *Berkhamsted* on the second of *April*: his Body was buried at the Abbey of *Hayles*, but his Heart at the Priory of *Renly*, which he had founded in the Subburbs of *Oxford* for the *Cistercian* Monks. He was a Prince of sufficient Parts and Courage (tho in neither extraordinary, yet) in both which he excell'd the King his Brother, as he did also in the management of his Revenues, so that he was accounted one of the richest Princes of *Europe*.

This enabled him to be very magnificent in his Buildings and Religious Foundations, bestowing a great deal of Money upon *Wallingford-Castle* and other Places, but much more upon his two Monasteries abovemention'd.

[1] About *Michaelmas* after his decease, *Edmund* Earl of *Cornwal*, his second Son, being newly return'd from the *Holy-Land*, (after the

Anno Dom.
MOCLXXI.[2] W. R. p.
1006.The Princess
Eleanor is
brought to
Bed of a
Daughter.[3] W. R. p. 96.
John eldest
Son to P. Ed-
ward, dies.

[4] Id. ib.

Theobald Arch-
deacon of
Liege, chosen
Pope, tho then
in the Holy-
Land.Anno Dom.
MOCLXXII.The King
leaves Win-
chester, and
comes to Lon-
don.

[5] Id. p. 97.

The death of
Richard King
of the Romans,
with his Chri-
stianity.

[1] Id. p. 98.

Anno Dom.
MCCCLXXXII.

murder of his elder Brother *Henry*) married *Margaret* the Sister of *Gilbert de Clare* Earl of *Gloucester*: the Wedding was kept at *Wallingford*-Castle with great Pomp and Solemnity, and he succeeded his Father in his Title of Earl of *Cornwal*, as also in his great Estate.

It is now fit we give you some Account of what *Pr. Edward* (whom we left last Year in the *Holy-Land*) performed there ever since that time; for he perceiving that he was like to expect no Assistance from *France*, by reason of the death of King *Lewis*, and the Succession of his Son King *Philip*, whose Affairs were as yet unsettled, nor that King *Henry* was able to send him any further Aid, either of Men or Money, having already rais'd all he could to equip him out; as also that the Forces he carried over with him (being at first not very many) were now reduced but to a few; therefore all these things considered, [2] he thought it necessary to treat with the *Sultan* of *Babylon* concerning a Truce, who (being very glad to be rid of him out of those Parts) readily consented to it, and accordingly by Messengers that passed between them a Truce was concluded on for ten Years, ten Weeks, and ten Days, and both Parties in the mean while were quietly to possess all those Towns and Places which they then held.

[2] W. H. p.

528.
Pr. Edward
concludes a
Truce with
the *Sultan* of
Babylon for
ten Years, &c.

[3] *Id. ib.*

The Prince
takes Ship-
ping, and
lands in *Sici-
ly*, and passes
through *Italy*
as far as *Viter-
bo*, to the Pope.

[3] This Truce being finished, the Prince after above a Year's stay at *Acon*, took Shipping about the middle of *August*, to pass over into *Europe*; and landing at *Trepani* in *Sicily* toward the end of *September*, went from thence to *Messina*, and so passed through the Kingdom of *Naples* to *Rome*, and so to *Viterbo*, where he was honourably received by the new Pope *Gregory*, who had been lately his fellow Pilgrim, and of whom he obtain'd a sentence of *Excommunication*, and Banishment from the Territories of the Church, against Count *Aldobrandino*, *Simon Montfort*, and all others the murderers of the Lord *Henry de Montfort*.

But whilst Prince *Edward* was in *Italy*, he received the News of the Death of the King his Father, and thereupon took upon him the Title of King of *England*: however I shall leave him there for the present, and defer saying any thing more of his Actions in his return home through *France* till I come to his Reign, which I reserve (if God grant me Life) for the next Volume.

It is now time for us to look back into *England*, where I find very little worth noting to have fallen out during this Prince's Absence, more than what hath been already related; only that some unquiet Spirits, who love to fish in troubled Waters, desiring to enrich themselves with the spoil of other Men's Estates, thought the only way to obtain them, was by making fresh Disturbances.

[4] M. W.

A small In-
surrection in
England.

[4] Of these sort of People, there were to the number of about three hundred Horse and Foot, besides a great deal of unarmed Rabble, got together in the *North* parts; but Earl *Edmund* the King's second Son, and *Roger de Mortimer*, soon dispersed them, and forced the rest to return to their own Homes, having kill'd a great many, and taken more of them Prisoners, so that they durst not attempt any thing of the like kind for the future.

[5] R. W.

But in the Month of *August*, there arose a greater Disturbance, [5] by reason of a Quarrel between the Citizens and the Monks of *Norwich*,

Norwich, which grew to such a height, that the Towns-men set fire to the Cathedral Church, and that, together with the adjoining Monastery and Buildings, were all consumed to the ground.

But I shall give you a more particular Account of these Barbarities from some Authors, that are either in Manuscript or but lately printed, than what is set down by *Matt. Paris's* Continuator; and of these [1] *Bartholomew de Cotton*, a Monk of the Priory of *Norwich*, relates, that in the beginning of this fray, the Citizens of that Place besieged the Monastery, and when they could not enter it, they set fire to the Gates, which not only burnt the Gate-house, but a Parish Church adjoining to it; then some of the Seditious at the same time shot Arrows with Fire on them, from the Tower of *St. George*, into the great Bell-Tower beyond the Choir, by which means the whole Church was burnt (except the small Chappel of *St. Mary*) as also all the Rooms and Lodgings belonging to the Prior and Monks: in the mean while the Rabble entering the Close, plundered and carried away all the sacred Vessels of the Altar, and other Ornaments, that the Fire had not yet destroyed; and not content with this, they kill'd and wounded several Deacons, and Clerks belonging to the Monastery within the Close it self, and drove away all the Monks, and continued their Malice in killing and plundering for almost three days together.

But when these things were told the King, [2] he was extremely grieved, and resolving to see speedy Justice executed on the Malefactors, he summon'd all the Bishops and Great Men of *England* to meet him at *St. Edmundsbury* on the first of *September*, to advise with them, how to proceed against them; whereupon the King being attended by the Earl of *Gloucester*, and other Noblemen, went down thither, and there held a kind of great Council or Parliament: after good deliberation he was advis'd to go to *Norwich* in Person, and revenge this wickedness.

But in order to this, before he went from thence, he issued out his Precept or Writ to *William Gifford*, Sheriff of *Norfolk* and *Suffolk*, dated *September* the sixth at *St. Edmundsbury*, to summon all the Knights and Freeholders of both those Counties, that held twenty Pounds *per Annum* and above, to appear before him at *Norwich* on the fifteenth of the same Month, to do as they should be directed by him, with the Advice of his Council. The same Writ was likewise issued to the Sheriff of *Cambridge* and *Huntingdonshire*, to summon twenty four Knights and Freeholders, that had twenty Pounds *per Annum* and above, to be also at *Norwich* the same day, as appears upon [3] Record.

But of these Knights and Freeholders (being eight and forty in all) returned from these four Counties, were chosen several Grand Inquests, or Juries, who were to enquire upon Oath into this Offence, and who were concerned in it, either in the City of *Norwich*, or elsewhere; and by these a great many being found Guilty before the King's Justices, they were condemned to be drawn at Horse's Tails to the Gallows, and there to be hanged, and their Bodies to be burnt; which was executed accordingly.

But

Anno Dom.
MCCCLXXII.

The Towns-
men of Nor-
wich burn the
Cathedral
Church, and
adjoining Mo-
nastery, &c.

A larger Ac-
count of this
from other
Authors

[1] Annot. Ec-
clesia Norwic.
in Anglia Sa-
cra, Vol. I.
p. 399.

[2] Id. ib.

The King
summons a
Grand Jury or
Inquest, out of
four adjacent
Counties.

[3] Rot. Pat.
56. H.3. M.4.
intus.

Anno Dom.
MCCLXXII.

But the Monk
above cited,
finds fault
with the In-
justice of
these Pro-
ceedings.

But the abovesaid Monk here finds great fault with the Injustice of these Proceedings; and that the richer sort of Citizens, who had also (tho privately) engaged in, and promoted this Riot, corrupted with Bribes, not only the King's Justices, and his Council, but the Grand Inquest of Knights and Freeholders of the Counties already mention'd, who tho upon their Oaths, yet falsly found the Fire that burnt the Church to have first begun in the Bell-Tower belonging to it, so that all farther Prosecution against the Townsmen ceased; and divers things were also laid to the Charge of *William de Burnham* the then Prior, inasmuch that he was committed to the Bishop's Prison, and all the Lands belonging to the Priory were for some time seized into the King's hands, as likewise the Liberties that had been granted to the City of *Norwich*; so that the Prior not long after resigned, and a new one was chosen in his stead. But the Bishop of *Norwich* (having before, in a Synod of all the Clergy of his Diocese, excommunicated all Persons concerned in this Sacrilege) kept the City of *Norwich* by times under an *Interdict*, for near three Years ensuing, till the Citizens could obtain their Absolution from *Rome*, and compound for their Offence with King *Edward*, which they did for two thousand Marks, having been condemned to pay three thousand in his Father's Reign, had he not died before it could be levied. But of this I shall say more in the next Volume, if I have opportunity to finish it.

An Account
of this Action
from the An-
nals of London.

But still it appears from what this Author has already said, that the Monks themselves were the chief Cause of the burning their Church and Monastery; for it is not at all probable, that (as he relates) the Citizens should have so great a Purse, and so considerable an Interest, as to bribe the Judges, the King's Council, and all these Grand Inquests, consisting of the most considerable Men of the four Counties abovenamed. Yet after all, I shall from the Annals of *London*, give you a truer Account of this Action; than is to be found in any of our Monkish Authors, who all take part with those of their own Profession, whereas this Writer being a Layman is more disinterested, and less partial in his Relation of it; and informs us, that a Quarrel arising between the Citizens and the Monks of *Norwich*, about certain Privileges and Jurisdictions which the latter claimed, and the former would not agree to, the Monks in revenge sent their Servants into the City to beat and outrage the Citizens, who being thereby provoked, and finding they could have no redress upon their Complaints, fell upon the Servants of the Priory where ever they met them in the City, and beating them soundly, the Prior thereupon sent for a great many Seamen from *Tarmouth*, and made a kind of Garrison in the Priory; and from thence with their Assistance again assaulted the Townsmen, who upon this joining together, repulsed the Seamen, and besieged the Monastery; and in order to take it, set fire to the great Gates thereof, which burnt the Gate-house, and from thence the Church was at first supposed to have been set on Fire; but it was afterwards discover'd that a Priest belonging to it, having hired certain Smiths to forge Arrow-heads in the Bell-Tower, these when they saw the Gate-house on Fire, ran down to quench it, leaving their own fire of Coals burning

ing carelessly behind them, the sparks whereof being blown about by the Wind into some combustible matter, set on fire first the Tower, and then the adjoining Church and Monastery; and it was found by the Inquest of eleven Knights of the County of *Norfolk*, that the Church was burnt by the means of that wicked Priest, who had brought up those Workmen into the Bell-Tower, and which agrees with *Bartholomew de Cotton's* Relation.

So soon as the [4] King had seen Justice done on these Offenders, [4] *R.W.* and settled all things at *Norwich*, as well as the shortness of time would permit, he resolved to return to *London* two days before *Michaelmas*; but staying in his way thither, to repose himself a while at the Abbey of *St. Edmundsbury*, he was there seized with a languishing Distemper, which never left him so long as he lived. However he got from thence to *Westminster* by easy Journeys; but his Sickness still daily increased, insomuch that the Bishops, Earls, and Barons, attended on him to pay him their last dutiful Respects. When he had performed all those religious Offices that were then thought necessary for a dying Man, and given Orders that his Debts should be first paid, and that whatsoever remain'd, should be given to the relief of the Indigent; he departed this Life on the twentieth of *November*, after he had reigned fifty six Years, and twenty Days. His Body being arrayed in Royal Robes, with the Crown on his Head, was two days after carried with great mournful Pomp, to be buried in the Abbey Church of *Westminster*, the chief Noblemen of the Kingdom bearing it to the Grave, where he was laid before the High Altar, near the Shrine of *K. Edward the Confessor*, and * where his Tomb with his Statue in Brass remains to this day.

The King's Death.

* Note, The Altar being since remov'd, the Tomb stands now behind it.

[5] *Id. ib.*

R. Henry's Character.

To give you a Character of this Prince's Person is not very difficult, since we find him described [5] to have been of a middle Stature, of a Body strong and well set, having one of his Eye-lids hanging down, and almost hiding the pupil of his Eye: but I wish it were no less hard to make as true a Character of his Mind and Disposition, which was so variable and uncertain, that we can't tell where to find a just Account of him; only that he was naturally wilful and very passionate, easily provoked to anger, and as easily appeased: he was also very fickle and unconstant in his Love as well as Hatred, for he never had so great a Favorite whom he threw not into disgrace at some time or other, nor so great an Enemy whom he received not again into Favour; as may appear from the Example of *Hugh de Burgh*, who was for a while his greatest Confident, but being afterwards disgraced, was prosecuted with the highest Rigour, and yet received into competent Favour again, as were also many other great Officers and Ministers, who were disgraced during his Reign.

The truth is, this Prince was of himself good-natured and merciful, so that if he did any thing too rigorously, it is to be imputed to the chief Ministers of State that had the Ascendant over him; for he was scarce ever *Sui Juris*, being always under the Government of one or other of the great ones most part of his Life: and indeed it might be justly said of him, that he was a much better Man than he was a King; for tho he oppress'd his Subjects with many great and unnecessary Taxes, and often broke his Coronation-Oath, and violated the *Great Charter*,

Anno Dom.
MCCCLXXII.

Charter, which himself had so solemnly sworn (and that more than once) to observe; yet he was nevertheless very charitable to the Poor, and extremely Devout; commonly hearing three Masses every day; and once when *Lewis* the King of *France*, and this Prince conversed together, and the former prefer'd Sermons before Masses, King *Henry* wittily enough defended his own practice, saying, *That he had rather see his Friend often, than hear often from him*; which was well said according to his Principles. As for his Courage it was not very great, being never noted for any personal Valour in the Field; and indeed he had no great encouragement to it, for as his Temper was not martial, so it may be observed, that where ever he was in Person, his side commonly had the worst on't. However it happened very well for him, when the Prince his Son overcame *Simon Montfort*; for he (tho against his Will) appeared chief Commander of the Army. In short, his greatest Happiness was in his admirable Son, by whom all Civil Troubles being at length compos'd, he pass'd the four last Years of his Reign in peace, and also left a Prince behind to succeed him, who by his Prudence and Valour rais'd the whole *English* Monarchy to great part of its antient Glory.

But his most shining Virtue, and that which made him the more eminently conspicuous (as being at that time rare in Princes) was his Continence; for there is nothing mentioned either of any base Children he had, or of any Concubine he kept; which is more than can be said of any of his Predecessors of the *Norman* Race, except King *William* the First.

[1] M. W.

The Ecclesiastical Affairs of this Year.

I shall conclude this King's Reign with some few [1] Ecclesiastical matters that happened this Year. When (tho the exact time is not mentioned) *Raymond* the Pope's Clerk was by him sent into *England*, with Authority to compel all Ecclesiastical Persons to pay the whole Arrears of the Tenth of all their Temporal, as well as Spiritual Livings into his hands; so soon as he had received them, he bestowed great part of them for the use of Pr. *Edward*, and E. *Edmund* his Brother, in consideration of their Expences in the *Holy-Land*,

[2] W. R.

Also the new Pope [2] now vacated the Election of *Adam Chelindon*, the Prior of *Canterbury*, whom the Monks had chosen for their Archbishop, (the Prior himself resigning what he saw he could not enjoy) and his Holiness bestowed the Archbishoprick upon *Robert Kilwardby*, who was then Provincial of the *Friers Predicants*, and had, before he entered into that Order, taught Philosophy in the University of *Paris*; and after his coming into it was in great reputation for his deep skill in School Divinity, as well as in the liberal Sciences: and the Pope had so great a Value and Respect for him, that he gave him leave to be consecrated by what Bishop he himself should please to appoint.

The Wife and Issue of King Henry the Third.

I shall conclude this King's Reign with a short Account of his Wife and Children; he married *Eleanor*, second Daughter to *Raymond* Earl of *Provence*, who lived with him Thirty seven Years; was his Widow Nineteen; died a Nun at *Ambresbury*, and was buried

ried in that Monastery, being then near fourscore Years old. She was a Lady of a high Spirit, but recompenced the smallness of her Fortune by the greatness of her Prudence, and the many fine Children she brought forth; and it is very remarkable, that tho her Father was but a mean Prince, yet all his Daughters were married to Real or Titular Kings.

By this Princess King *Henry* had six Sons, and three Daughters; the four youngest of his Sons died in their Infancy, and were buried three of them at *Westminster*, and the fourth in the new Temple-Church near *Fleetstreet*; and of whom nothing more is related.

His eldest Son [3] *Edward*, surnamed *Long-shanks*, (from his long [3] *M. P. p.* Legs) who succeeded him in the Kingdom, was born at *Westminster* 488. upon the sixteenth of *June*, 1239.

Edmund, his second Son, [4] was born *Jan.* the sixteenth, *Anno* [4] *Id. p. 634.* *Dom.* 1245. in the thirteenth Year of his Father's Reign: he was Earl of *Lancaster*, *Leicester*, and *Derby*; Lord of *Monmouth*, and High-Steward of *England*: he was also invested by the Pope with the Kingdom of *Sicily*. And *Speed* in his Chronicle has given us a Seal, having this Prince's Effigies with that Title round it; but being never possessed of that Kingdom, he soon left off the empty Title of King.

Margaret, [5] his eldest Daughter, was married to *Alexander* the [5] *Rot. Pat.* *Third*, King of *Scots*, being then a Child of about nine Years old; 36. *H. 3. M.* by whom, tho she had several Children, yet the Sons dying before 14. him, (and his Daughter *Margaret*, Wife to *Erik* King of *Norway*, having no more than one Daughter of her own name, who died in Childhood) that Line of the Kings of *Scotland* thereby fail'd.

[1] *Beatrice*, King *Henry's* second Daughter, was born at *Bordeaux* in *Gascoigny* on the five and twentieth of *June*, *Anno Dom.* [1] *M. P. p.* 1242. and was married to *John de Dreux*, Duke of *Bretaigny* in 514. *France*, and Earl of *Richmond* in *England*.

Katherine [2] his third Daughter, was born at *London* on *St. Katherine's* day, being the 25th of *November*, *Anno Dom.* 1253. and died [2] *Id. p. 879.* at five years of Age.

Taxes in this King's Reign.

Before I treat of the Laws, I shall give you an Account of the Taxes which were either given him by Parliament, or which he raised under colour of his Prerogative.

The Parliament called at *Northampton* [3] on the Octaves of *Holy-Trinity*, 1224, granted the King two *Shillings* of every Plough-Land: and the King then granted to the Great Men a *Scutage* of two Marks Sterling of every Knight's Fee. [3] *M. P. p.* 322. 9 *H. 3.*

The Parliament called at [4] *Westminster* at *Christmass*, 1224. granted him a Fifteenth of all Moveables, as well of the Clergy as Laiety of the whole Kingdom, for the Grant or Confirmation of *Magna Charta*; one half of this Fifteenth was collected soon after *Easter*, and the other half was to be gathered at *Michaelmas* following. [4] *Id. p. 323.* N^o 10.

A Fortieth part of all Moveables were granted.

King *Henry* [5] compelled the Citizens of *London* to pay him

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five

A. D. 1224.
Matt. Paris.
[5] 12 *H. 3.*
A. D. 1227.
F. 336. n. 10,
20.

five thousand Marks, because they had given so much to *Lewis* late King of *France* when he left *England*.

M. P. ib.

At the same time he also took for an Aid from the Burgesies of *Northampton* twelve hundred Pounds, besides one Fifteenth of their moveable Goods.

He likewise forced all Religious and beneficed Clerks, to pay a Fifteenth, as well out of their Spirituals as Temporals; and those that were unwilling to pay, were compelled either by the King's Authority, or else by Ecclesiastical Censures.

12 H. 3. Ib.
n. 40.

Soon after the Religious and Others had notice, that unless they renewed their Charters, their old ones should be of no Advantage to them; and for the renewing of which every one was to pay according to his Faculty, at the Justiciary's Discretion.

[1] Id. ib. F.
365. n. 10.
15 Hen. 3. A.
D. 1230.

In the [1] Year 1230. the Archbishops, Bishops, Abbots, and Priors, gave a great sum of Money for recovering the King's Rights beyond Sea. At the same time he put the Citizens of *London* to a grievous Fine or Ransom, and forced the *Jews* to pay the third part of what they were worth.

Id. 16 H. 3.
F. 367. n. 50.
A. D. 1231.

In the Year 1231. the King required a *Scutage* of three Marks of every Knight's Fee of all that held Baronies, as well Laicks as Prelates: but tho it was opposed by the Archbishop of *Canterbury*, and some other Bishops, yet it was agreed to by all others.

A. D. 1232.
17 H. 3. Id.
F. 377. n. 5.
and F. 380.
n. 30.

On the 14th of *September*, in a Parliament held at *Lambeth*, a Thirtieth part of all the Moveables, both of Ecclesiasticks and Laicks, was granted to the King, and was collected about the latter end of *October* following.

M. A. D. 1235.
20 H. 3. Id.
F. 417. n. 30.
[2] Rot. Claus.
21 H. 3. M. 1.
and M. 21.
Dors.

Anno Dom. 1235. He took two Marks of every Plough-Land for the marriage of *Isabel* his Sister to *Frederic* Emperor of *Germany*, and gave with her Thirty thousand Marks. And [2] at the same time there was a Thirtieth part of all Moveables granted by the Bishops and Lay Great Men.

[3] Rot. Pat.
20 H. 3. M. 8.
n. 12. A. D.
1236.

A [3] *Scutage* of two Marks on every Knight's Fee, granted by the Archbishops, Bishops, Abbots, Priors, and other Ecclesiastical Persons, &c. and 'tis very probable, that this was the same *Scutage* which was given for the Mariage of his Sister to the Emperor.

M. P. F. 435.
n. 10. 21 H.
3. A. D. 1237.

A. D. 1237. a Thirtieth part of all Moveables was granted to the King.

Id. A. D. 1242.
F. 595. n. 30.
and 597. n. 20.

In the Year 1242. about *Michaelmas* the King required another *Scutage* of three Marks for every Knight throughout *England*; so *Matt. Paris*, but as others only twenty Shillings; but we do not find that this was ever raised, tho *Dr. Brady* puts it down as paid.

Id. Fol. 643.
n. 20. A. D.
1244.

In a Council or Parliament held at *London* three Weeks after *Candlemas*, Twenty Shillings of every Knight's Fee was granted to the King for the mariage of his eldest Daughter, one half to be paid at *Easter*, the other at *Michaelmas* following.

A. D. 1253.
37 H. 3. M. P.
f. 866. n. 20,
30.

The Clergy granted the Tenth of all their Ecclesiastical Revenues for three Years, and the Nobility or Knights three Marks of every Knight's Fee, for the Relief of the *Holy-Land*, upon his Confirmation of *Magna Charta*; whereby it appears, that three Year's Tenths of all Church Revenues were granted to the King by the Pope.

A. D. 1253.

This

This Year also a Twentieth part was granted to the King, of all Grain, Live Stock, and other Moveables, as well by the Great Men and Knights, as other *Lay-men*, as appears by the [4] Record it self ^{[4] Rot. Claus.} at large, which you will find in the *Appendix*, N°. ult. And who ^{54 H. 3. M.} these other Laymen were that are mention'd in this Record, appears from the City-Chronicle, in the Book *de Antiquis Legibus*, where, in the latter-end of this King's Reign under this Year, are these words, *Eodem Anno omnes Liberi homines de Regno, tam de villis quam de Civitatibus & Burgis & alibi, dederunt Regi vicesimam partem omnium Bonorum suorum mobilium ad Expensas faciendas in Itinere ad Terram Ierosolimatana.* ^{11. Dors.}

I have been the more particular in this Quotation, because Dr. Brady has given us only a short Note of this Tax, without mentioning by whom it was given; I suppose, because it confutes his false Notion, that the Knights of Shires were after the 48th of this King, no more summon'd to Parliament, till the 18th of Edward I. and the Citizens and Burgeffes not till the twenty third of the same King, because the Doctor can find no Writs of Summons for them till those Years; of the falseness of which Assertion, I shall (God willing) treat farther in the Introduction to my next Volume, and therefore shall say no more of it here.

But the Reader is to observe, that all such Taillages and Exactions as were contrary to *Magna Charta*, and raised by this King, without the consent of Parliament, or Clergy in a Synod or Convention, were unjust and illegal, and are so noted by *Matt. Paris* and other Authors, tho Dr. Brady has not thought fit to take any notice of it.

Of the Laws and Ordinances made in this King's Reign.

Having given you an Account of the Taxes raised by, or granted to this King, and which indeed (unless it were those that were imposed under pretence of his Prerogative) may be also reckoned amongst his Laws, I shall now proceed to give some brief Heads of such Statutes and Ordinances, that were made during this Reign; for I shall not trouble the Reader with more, since he may find them at large in our Statute Books.

I shall begin with the Great Charter, called in Latin *Magna Charta*, which is affirm'd by * *Matt. Paris* to contain (for the most ^{* Page 252.} part) those Laws and Liberties that were granted by King Edward the Confessor to the Church, Great Men, and People of *England*; and which Charter is by several subsequent Acts of Parliament also called a Statute, as being enacted by the joint consent of the King, Clergy, Nobility, and People, tho the Grant was drawn up in the King's name alone.

But as for the Charter it self, having already given it you at large, and being almost the same in the most material and constituent Parts thereof, *mutatis mutandis*, with that at the end of the Reign of King John, I need not here repeat it, but shall only take notice, that the same Charters, both of *Liberties* and *Forests* (except such Clauses as were thought fit to be left out) were new granted and confirm'd by King Henry the Third, his Son, *Anno Dom.* 1217. in the second Year of his Reign; which Charters bearing date at St. Paul's, the

* i. e. Richard
de Marisco.

sixth day of *November*, were deliver'd by the hand of * *Richard* Bishop of *Durham*, the King's Chancellor, and for which there was then given by the Archbishops, Bishops, Abbots, Priors, Earls, Barons, Knights, Freeholders, and all Persons of the Kingdom, an Aid of a Fifteenth part of all moveable Goods. Of this Charter, as also of that of *Forests*, tho the Originals are lost, there are yet several antient Copies of them remaining in divers hands; and besides one of them that is in the Custody of the Right Honourable the Earl of *Kingston*, I my self have seen another fair Copy in the hands of my worthy Friend *William Petyt*, Esq; Bencher of the *Inner-Temple*, and Keeper of the Records in the *Tower*; and I have heard from him, that there is also a third Copy of them in the keeping of *John Cook* Esq; Prothonotary of the Court of *Common-Pleas*; and the truth of all these is also confirmed by a [5] Record in the *Tower*, containing the King's Writ to the Sheriff of *Worcester-shire*, commanding him to cause to be read in the County-Court, those Charters of *Liberties*, which the King had lately granted by the *Common-Council* of his Kingdom, to the Barons and all others of his Realm, and which the Lord Legate had also confirmed with his Seal; because the King being under Age, had no Seal of his own. This bears date the 23d day of *June*, in the second Year of his Reign, and which is also printed in the *Appendix* to this Volume, N^o. 8.

[5] Rot. Claus.
1 H. 3. M. 10.
Dors.

And these Charters were again confirm'd *Anno Dom. 1224.* in the ninth Year of this King; of both which, tho there were several Copies sent to all the Counties, and most of the Cathedrals and Religious Houses in *England*, yet they are not to be found at this day among the Records of the *Tower*: but there is a fair Original of this of the 9th of *H. 3.* under Seal, remaining in the hands of Sir *Nathaniel Powel*, one of his Majesty's learned Council, which is supposed to have belonged to *Battle Abbey*, which I my self have likewise seen. As for those Charters of *Liberties* and *Forests*, which remain upon Record in the Rolls in the *Tower*, they are only the Charters of the 28th of *Edward I.* reciting by *Inspeximus verbatim*, those granted by King *Henry III.* (as aforesaid) as appears both by the beginning of that Charter it self, as also by the Conclusion, in which (by mistake) in the Print, (but not in the [1] Roll it self) *Boniface* Archbishop of *Canterbury* is named as the first witness to it, whereas in the Original Charter he is truly named *Stephen*, i. e. *Stephen Langton*, who was then Archbishop; *Boniface* not succeeding him till long after, toward the middle of King *Henry's* Reign, and deceasing at the latter end of it.

[1] Vid. Rot.
Pat. 28 E. 1.

There are also two antient Copies of these Charters, the one printed in the Annals of *Burton*, under the 9th of *Hen. III.* and the other in * *Walter Hemingsford's* Chronicle; which differ very little from one another, only, That in the *Burton* Annals is witnessed by *Stephen* Archbishop of *Canterbury*, and most of the Bishops, Earls, and Barons of *England*, whereas the latter concludes more briefly with *Teste meipso, & aliis pronominatiis*, which I suppose might proceed from the carelessness of the Transcriber, who would not take the Pains to write over so many Names.

* L. 3. c. 6.

[2] Id. p. 570.

[2] Then follows in the Author last mention'd, another Charter of Confirmation of the *Great Charter* and that of *Forests*, dated in the

the 21st of this King's Reign, after he came of full Age; and this Charter is said to be witnessed by *Edmund* Archbishop of *Canterbury*, and all those named in the *Great Charter* it self: which confirms my Conjecture of the Reason of leaving out the Witnesses Names in the Charter abovemention'd.

But since I have already told you, that this Charter of *K. Henry's*; and that of *King John's* were for the most part the same, and that it would be impertinent to transcribe it again, I shall therefore only here take notice of such Clauses in *King John's* Charter, as were not thought fit or necessary to be inserted into this of *Henry III.* being these that follow.

1. The last Clause of the seventh Chapter or Article, about shewing to the next of Kin the Consanguinity of the Heir, before his marriage, is omitted, as are also,

2. The twelfth and thirteenth Chapters concerning Debts owing to the *Jews*, and against payment of Usury by the Heir, whilst he is under Age; no more being there said under that Head, except the following Clause, *That if any one die, and owe Money to the Jews, his Wife shall have her Dower, and shall not pay any thing of that Debt.*

3. The third is concerning Aids payable by the City of *London*, to make the King's eldest Son a Knight, and to marry his eldest Daughter, which is also omitted.

4. The fourth is the last Clause of the sixteenth Chapter, That all other Cities, Boroughs, Towns, and Barons of the *Cinque-Ports*, shall have the common Advice or Consent of the Kingdom, concerning the Assessment of their Aids, otherwise than in the three Cases aforesaid, of Knighting the King's Son, &c.

5. But the most considerable omission is, that of the seventeenth Chapter, which says thus, *And we shall cause to be summoned by particular Writs, the Archbishops, Bishops, and Abbots, Earls, and greater Barons, for the Assessing of Scutages.*

6. As also the whole eighteenth Chapter, concerning the general Writs of Summons to the other Tenants *in Capite*.

7. Together with the nineteenth Chapter touching Proceedings upon Business at the day appointed, tho they did not all appear that were summon'd; but I shall speak nothing concerning the reason of the omission of these three last Articles, since I intend to treat of it in another Place, if ever I live to publish a third Volume of this History.

The next Statute or Ordinance of this King's is said to be made at *Westminster*, Feb. 9. Anno 14 H. 3. and Anno Dom. 1229. which, since it is no more than the King's Writ or Declaration directed to *Gerald Fitz-Maurice*, or rather *Maurice * Fitz-Gerald*, Justiciary of *Ireland*, to let the Knights or Tenants *in Capite* of that Kingdom know, how Lands holden by Knight's Service, and descending to Coparceners within Age, shall be divided according to the Laws and Customs of *England*, I shall not say any more of it, because it had not the Consent or Advice, either of the Lords or Commons.

Stat. de Hibernia.

* Cox Hib. Anglic. p. 60, 61.

Then

Stat. of Mer-
ton.

Then follow the Statutes or Provisions made at Merton, 20th H.
3. Anno Dom. 1235. the Title of which runs thus,

† A Monaste-
ry in Surrey.

“ It is provided in the Court of our Sovereign Lord the King, holden at † *Merton* on Wednesday the morrow after the Feast of St. Vincent, in the twentieth Year of the Reign of King *Henry*, the Son of King *John*, before *William* Archbishop of *Canterbury*, and other his Bishops and Suffragans, and before the greater part of the Earls and Barons of *England* there, being Assembled for the Coronation of the said King, and *Eleanor* the Queen, about which they were all called; where it was treated for the Commonwealth of the Realm, upon the Articles under-written, viz. thus it was provided and granted, as well of the aforesaid Archbishops, Bishops, Earls and Barons, as of the King himself, and others.

I have been the more exact in the recital of the Title to these Provisions, or Statutes, because they afford us some useful Observations; as first, That the Great Council or Parliament is here called the King's Court; secondly, That whereas many have too rashly affirm'd, that all the antient Statutes go in the name of the King alone, and seem to be made by his absolute Prerogative, it is here evident, that this Body of Laws (the most antient of any after *Magna Charta*) was made and granted not only by the King, who is named almost last of all, but also by the Archbishops, Bishops, Earls, Barons of *England*, and Others. But who these were included under the Others here mentioned, having already discoursed of it in my Introduction, I shall not say any thing here farther concerning them, but will now proceed to give you a short Account of these Provisions themselves, which are divided into eleven Articles or Chapters.

C H A P. I.

|| i. e. refus'd
to assign them
their Dowers.

The First of which ordains what Damages Widows shall recover after the Death of their Husbands, from such as have || *deforced* them of their Dowers, that is to say, the value of the whole Dower to them belonging, from the time of the death of their Husbands, to the day of the Judgment obtain'd in the King's Court for the same, and the *Deforceors* withal to be amerced at the King's pleasure.

C H A P. II.

Grants to Widows a Power to bequeath the Crop on the Grounds, as well of their Dowers, as of their other Lands and Tenements.

C H A P. III.

Appoints, how Disseisors that have redisseis'd those who have recovered Seisin or Possession from them by Affize of *Novel Disseisin*, (to wit) that the Persons thereof convicted, shall be forthwith taken and kept in the King's Prison, and not be discharged, but by Fine or some other means; and the Plaintiff shall further have the King's Writ directed to the Sheriff, containing the plaint of Disseisin

fin done upon disseisin, upon the receipt of which he shall take with him the Keepers of the Pleas of the Crown, and other lawful Knights, and in his proper Person shall go unto the said Land, &c. and if by the Inquisition of the Jurors, and other Neighbours, they find him again disseised, the Sheriff shall then deliver him the Seisin or Possession; and if it be found otherwise, the Plaintiff shall be amerced, and the other go quit: and in the same manner shall be done to them that have recovered their Seisin by Assize of *Mortd'ancestour*, and so shall it be of all Lands and Tenements recovered in the King's Court by Inquests, if they be afterwards disseised by the first *Deforcceors*, against whom they have before recovered by Inquest.

C H A P. IV.

Ordains, that Lords of Mannors may make Profit of the residue of their Mannors, as of their wastes, Woods and Pastures, provided their Feoffees and Free-Tenants have sufficient Pasture, with free egress and regress from their Land unto the Pasture, for as much as belongeth to their Tenements; and if they alledg they have not sufficient Pasture, according to their holdings, then the Truth is to be enquired into by Assize, &c. The rest is needless to be here recited.

C H A P. V.

Provides, that from thenceforth Usury shall not turn against any one under Age, from the time of the death of his Ancestor, (whose Heir he is) unto his lawful Age; this Law is either obsolete, or repeal'd.

C H A P. VI.

Appoints the Penalties for Ravishment of a Ward from his Lord's Custody, and for the disappointment of the Lord by his Ward's marrying himself without his Consent also.

C H A P. VII.

Provides, that the Ward shall pay at his full Age, to his Lord, the value of his marriage, in case he refuse the Party whom his Lord requires him to marry: both which Statutes are out of doors, since the taking away of all Wardships, Liveries, *Tenants in Capite*, and Knight's Service, by the Statute of the 12th of Charles II. C. 24. and therefore I shall say no more of it, and only mention the Title of

C H A P. VIII.

Which contains several limitations of Prescription, relating to the dates of divers Writs; and because they are now grown obsolete, I shall say no more concerning them neither; but the next is more considerable, for

C H A P.

Stat. of Mer-
ton.

Then follow the Statutes or Provisions made at Merton, 20th H.

3. Anno Dom. 1235. the Title of which runs thus,

† A Monaste-
ry in Surrey.

“ It is provided in the Court of our Sovereign Lord the King, holden at † *Merton* on Wednesday the morrow after the Feast of St. Vincent, in the twentieth Year of the Reign of King *Henry*, the Son of King *John*, before *William* Archbishop of *Canterbury*, and other his Bishops and Suffragans, and before the greater part of the Earls and Barons of *England* there, being Assembled for the Coronation of the said King, and *Eleanor* the Queen, about which they were all called; where it was treated for the Commonwealth of the Realm, upon the Articles under-written, viz. thus it was provided and granted, as well of the aforesaid Archbishops, Bishops, Earls and Barons, as of the King himself, and others.

I have been the more exact in the recital of the Title to these Provisions, or Statutes, because they afford us some useful Observations; as first, That the Great Council or Parliament is here called the King's Court; secondly, That whereas many have too rashly affirm'd, that all the antient Statutes go in the name of the King alone, and seem to be made by his absolute Prerogative, it is here evident, that this Body of Laws (the most antient of any after *Magna Charta*) was made and granted not only by the King, who is named almost last of all, but also by the Archbishops, Bishops, Earls, Barons of *England*, and Others. But who these were included under the Others here mentioned, having already discoursed of it in my Introduction, I shall not say any thing here farther concerning them, but will now proceed to give you a short Account of these Provisions themselves, which are divided into eleven Articles or Chapters.

C H A P. I.

|| i. e. refus'd
to assign them
their Dowers.

The First of which ordains what Damages Widows shall recover after the Death of their Husbands, from such as have || deforc'd them of their Dowers, that is to say, the value of the whole Dower to them belonging, from the time of the death of their Husbands, to the day of the Judgment obtain'd in the King's Court for the same, and the Deforceors withal to be amerced at the King's pleasure.

C H A P. II.

Grants to Widows a Power to bequeath the Crop on the Grounds, as well of their Dowers, as of their other Lands and Tenements.

C H A P. III.

Appoints, how Disseisors that have redisseis'd those who have recovered Seisin or Possession from them by Affize of Novel Disseisin, (to wit) that the Persons thereof convicted, shall be forthwith taken and kept in the King's Prison, and not be discharged, but by Fine or some other means; and the Plaintiff shall further have the King's Writ directed to the Sheriff, containing the plaint of Disseisin

fin done upon disseisin, upon the receipt of which he shall take with him the Keepers of the Pleas of the Crown, and other lawful Knights, and in his proper Person shall go unto the said Land, &c. and if by the Inquisition of the Jurors, and other Neighbours, they find him again disseised, the Sheriff shall then deliver him the Seisin or Possession; and if it be found otherwise, the Plaintiff shall be amerced, and the other go quit: and in the same manner shall be done to them that have recovered their Seisin by Affize of *Mortd'ancestour*, and so shall it be of all Lands and Tenements recovered in the King's Court by Inquests, if they be afterwards disseised by the first *Deforceors*, against whom they have before recovered by Inquest.

CHAP. IV.

Ordains, that Lords of Mannors may make Profit of the residue of their Mannors, as of their wastes, Woods and Pastures, provided their Feoffees and Free-Tenants have sufficient Pasture, with free egress and regress from their Land unto the Pasture, for as much as belongeth to their Tenements; and if they alledg they have not sufficient Pasture, according to their holdings, then the Truth is to be enquired into by Affize, &c. The rest is needless to be here recited.

CHAP. V.

Provides, that from thenceforth Usury shall not turn against any one under Age, from the time of the death of his Ancestor, (whose Heir he is) unto his lawful Age; this Law is either obsolete, or repeal'd.

CHAP. VI.

Appoints the Penalties for Ravishment of a Ward from his Lord's Custody, and for the disappointment of the Lord by his Ward's marrying himself without his Consent also.

CHAP. VII.

Provides, that the Ward shall pay at his full Age, to his Lord, the value of his marriage, in case he refuse the Party whom his Lord requires him to marry: both which Statutes are out of doors, since the taking away of all Wardships, Liveries, *Tenants in Capite*, and Knight's Service, by the Statute of the 12th of Charles II. C. 24. and therefore I shall say no more of it, and only mention the Title of

CHAP. VIII.

Which contains several limitations of Prescription, relating to the dates of divers Writs; and because they are now grown obsolete, I shall say no more concerning them neither; but the next is more considerable, for

CHAP.

C H A P. IX.

Declares, that he is a Bastard who is born before the Mariage of his Parents; but to the King's Writ of Bastardy, whither one born before Matrimony may inherit in like manner as he that is born after Matrimony, all the Bishops answered, that they would not, neither could answer to it, because it was directly against the common Order of the Church; and all the Bishops were urgent with the Lords, that they would consent, that all such as were born before Matrimony, should be Legitimate, as well as those born within Matrimony, as to the succession of Inheritance, for so much as the Church accepteth such for Legitimate. But all the Earls and Barons with one voice answered, **That they would not consent that the Laws of the Realm should be changed*, which hitherto had been used and approved of.

**Nolumus Le-
ges Anglia
mutari.*

This I have set down at large, because it shews a worthy constancy of the Nobility of *England*, in not permitting the antient Laws thereof to be changed for the sake of the Ecclesiastical, or Canon Law.

C H A P. X.

Provides and grants, that every Freeman who oweth suit to the County, Tything, Hundred and Wapentake, or to the Court of his Lord, may freely make his Attorney to do those Suits for him; but as for the next,

C H A P. XI.

Concerning trespassers in Parks and Ponds, it is not yet discussed; for the Lords demanded the proper Imprisonment of such as they should take in their Parks and Ponds: but it appears here that the King denied, wherefore it was deferred.

As to the other Statute that follows in our Statute Books, viz. that *de Anno Bissextili*, made at *Westminster*, 21 H. 3. A. D. 1236.

It declares, That the day of the Leap-Year, and the day before, shall be holden for one day.

This certainly never was an Act of Parliament, but only the King's Writ to the Justices of the Bench, directing them how they ought to proceed in that matter, which was then doubtful; for it was usual in those times for the King, by the Advice and Consent of his Great Council of Earls and Barons, &c. to make such temporary Laws and Ordinances without the Consent of the General Council of the Kingdom or Parliament.

So likewise the Statute intituled *Affisa Panis & Cervisie*, made Anno 51 H. 3. Anno Dom. 1266.

Setting forth, that the prices of Bread and Ale shall be according to the prices of Corn. This was no other than the King's Writ or Proclamation, enforcing certain Ordinances concerning the Measure, or Affize of Bread and Ale.

But as for the latter part of this Ordinance, or Declaration, because it sets forth, what was the Law of *England* concerning Measures, and the value of Money in those times (and is worthy the knowing) I shall therefore put it down at large.

* By

By the consent of the whole Realm of *England*, the Measure of our Lord the King was made, that is to say, that an *English* Penny called a *Sterling*, round, and without any clipping, shall weigh XXXII. Wheat Corns taken out of the midst of the Bar, and that XXd. do make an Ounce, and XII. ounces one Pound, and eight Pounds do make a Gallon of Wine, and eight Gallons of Wine a *London* Bushel, which is the eighth part of a Quarter: and forasmuch as in our Parliament holden at *Westminster* in the first Year of our Reign, we have granted that all good Statutes and Ordinances, made in the times of our Progenitors aforesaid, and not revoked, shall be still observed, we have caused (at the request of the Bakers of our Town of *Coventry*) that the Ordinances aforesaid, by tenor of these Presents, shall be exemplified: in witness whereof, &c. Witness the King at *Westminster* the 22d day of *March*.

Where you may observe, "That these Laws concerning Measures, and the value of Money, are here declared to have been settled by the *common Consent of the whole Realm*, whereas it is not so mentioned concerning the prices of Bread and Ale.

I shall likewise barely mention two other Ordinances made the same Year, and which follow in the same place: the first

Concerning general days in *Bank* in real Actions, and the second concerning general Days in a Writ of *Dower*: because they are only matters of form relating to Pleadings, and were no Acts of Parliament, I do but just mention them.

And the Year-Book of the 15 E. 4. fo. 13. a. says, That these two were not Statutes, but written in our Books to the intent that what was before doubtful, should now be put in certain.

But as for the Statute *de Distractione Scaccarii*, of the same Year, shewing what Distresses shall be taken for the King's Debts, and how they shall be used; tho it be not expressly mentioned when and where it was made, yet seeing I take it to have been by Authority of Parliament, I shall here set down the substance of it.

That forasmuch as the * *Commonalty* of the Realm hath sustained great damage by wrongful taking of Distresses, which have been made by Sheriffs, and other the King's Bayliffs, for the King's Debt, or for any other cause: It is therefore provided and ordained, (to this effect) that when a Sheriff, or any other Man, doth take the Beasts belonging to others, they to whom such Cattle do belong, may give them Meat whilst they are so impounded, without disturbance, and that neither the Beasts nor any other Distress taken for the King's Debt, nor for any other Cause, shall be sold or disposed of within fifteen days after the taking thereof, with power also, upon giving Pledges or Security, to replevy them; and that no Distress should be taken of Ploughs, Sheep, or Beasts which till the Land; as also that such Distresses be reasonable, according to the value of the Debt or Demand, and that the Receipt by the Sheriff or Bayliff shall acquit the Debtor of all further Disturbance.

So likewise the Statute made the same Year, intituled *de Scaccario*, i. e. concerning the *Exchequer*; wherein it is set forth when the King's Farmers, Sheriffs, and Bayliffs, shall make their Accompts and Payments, and who shall be Escheators in several Shires. This, since it relates only to the Officers and Persons mentioned in the Sta-

tute, and is not of any general use, and most of it grown obsolete, I shall content my self with barely mentioning it.

Those Directions concerning the *Pillory* and *Tumbrel*, and of the Assize of Bread and Ale, made the same Year, seem to be no more than a Proclamation of the King's, reinforcing, and repeating the former Law concerning the prices of Bread and Ale; and that Bakers and Brewers offending against it, shall be punished by the *Pillory* and *Tumbrel*, that is, the former by the one, and the latter by the other.

Then follow the Statutes made at *Marlebridge* (now *Marleborough*) November 18. *An. 52d. H. 3.* the Title of which I shall give you at large.

* i. e. The Octaves, or eight days after the Feast.

" In the year of Grace, 1267. and the two and Fiftieth Year of the Reign of King *Henry*, Son of King *John*, in the * *Octaves* of *St. Martin*, for the better Estate of this Realm of *England*, and for the more speedy Ministration of Justice, as belonged to the Office of a King, the more Discreet Men of the Realm being called together, as well of the *Higher* as of the *Lower Estate*; it was provided, agreed, and ordain'd, That whereas the Realm of *England* had of late been disquieted with many-fold Troubles and Dissensions, for reformation whereof, Statutes and Laws be right necessary, whereby the Peace and Tranquillity of the People may be observed, wherein the King intending to devise convenient Remedy, hath made these Acts, Ordinances and Statutes under written, which he willeth to be observed for ever firmly and inviolably of all his Subjects, as well high as low.

This Title I have put down at length, for the Reader hence to observe, that these Laws were provided and ordained by the Advice and Consent, not only of the King and the Great Men, but by others of lower Estate or Condition; who these were, I have already discussed in my *Introduction* against Dr. *Brady's* cavils in his Answer to Mr. *Petyt's* Treatise of the *Rights of the Commons*, &c. and therefore I shall now only give you a brief Account of this Body of Laws, which are divided into nine and twenty Chapters, and refer the Reader to the Statutes at large, for his further Satisfaction.

CHAP. I.

Appoints, That all Persons that shall distrain other Men's Goods and Chattles of their own Authority, without the Award of the King's Court, and be convict thereof, shall be punished by Fine according to the Trespass, tho they have had no Damage or Injury done them.

CHAP. II.

Ordains, that no Man shall be distrained to come to the Lord's Court, which is not of his Fee or Place, where he hath no Jurisdiction, by reason of Hundred, or Bailiwick; nor shall take Distresses out of the Fee or Place, where he hath no Bailiwick nor Jurisdiction.

CHAP.

C H A P. III.

Ordains, That such as will not suffer such distresses to be delivered by the King's Officers, after the Law and Custom of the Realm, or will not suffer Summons, Attachments, or executions of Judgment given in the King's Court to be done, he shall be punished in manner afore said, as one that will not obey the Law; and that according to the Quantity and Offence: but excepts all Lords distraining their Tenants for Services, and Customs, or any other thing, being due to them, whereby the Lord of the Fee had cause to distrain; tho it be afterwards found that the same Services are not due, yet the Lord shall not therefore be punished by Fine, but shall be amerced as hitherto had been used.

C H A P. IV.

Ordains, That henceforth no Distress shall be driven out of the County, where it was first taken; and that such Distresses shall be reasonable, and not too great; and he that shall do otherwise, to be grievously amerced for such excesses.

C H A P. V.

Contains a confirmation of the *Great Charter*, and that of *Forests*, and that for the future they shall be observed in all points, and the Offenders when convict, to be grievously punished.

C H A P. VI.

Ordains, That fraudulent Conveyances made to defeat Lords of their Wardships, shall be void, otherwise not.

C H A P. VII.

Ordains what sort of process shall issue out against *Deforceors* upon Wards, and who refuse to answer process in *Communi Custodia*, needless to be further mentioned.

C H A P. VIII.

Reinforces the punishment of such as commit Redisseisin to the same effect as in the Statute of *Merton*, with this Addition, That if it be found that the Sheriff had set any Man free, contrary to this Ordinance, he shall be therefore grievously amerced.

C H A P. IX.

Ordains in what manner Suits to Courts of Great Lords or others shall be observed; that none who is infeoffed by Deed, shall from henceforth be distrained to do such Suit in the Court of his Lord, without he be especially bound thereto by the form of his Deed; those only excepted, whose Ancestors, or they themselves, have used to do such Suit, before the first Voyage of the said King Henry into *Bretaigny* (which was thirty nine Years before the making

of this Act) and if the Lords of the Fee do distrain their Tenants for such Suits contrary to this Act, then at the complaint of the Tenants, such Lords shall be attached to appear in the King's Court to make answer thereunto, at a short day, and shall have but one Effoin therein, if within the Realm; and immediately the Beasts, or other Distresses shall be delivered to the Plaintiff, and so to remain till the Plea between them be determined; and if such Lords shall not appear at the day given them by their Effoin, the Plaintiff shall be dismissed without any day assigned: so likewise Tenants that after this Act shall withdraw from their Lord their due Suits, shall be proceeded against after the same manner as the Lords are ordained to be.

C H A P. X.

Provides, That Archbishops, Bishops, Abbots, Priors, Earls, Barons, or any religious Men or Women, shall not need to come to the Sheriff's Tourns, unless especially required for some other cause; but the Tourn shall be kept as it hath been used in the times of the King's Progenitors: and they that have Hundreds of their own to keep, shall not be bound to appear at any such Tourns, but in the Bailiwicks where they dwell.

C H A P. XI.

Ordains, That no Fines be taken for *Beaupleader*, or fair Pleading.

C H A P. XII.

Appoints what days shall be given in Pleas of *Dower*, in Assizes of *D'arraign presentment*, and in a Plea of *Quare Impedit*, of Churches vacant; which since they relate only to forms of Process, need not be further insisted on.

C H A P. XIII.

Ordains, That when a Man hath put himself upon any Inquest (*i.e.*) after issue joined, the Plaintiff shall have but one * Effoin or one Default; so that if he come not at the day given him by the Effoin, or make default the second Day, then the Inquest shall be taken by his Default, and according to the same Inquest, they shall proceed to Judgment. The rest being not very material, I omit.

* *i.e.* Excuse
for Non-ap-
pearance.

C H A P. XIV.

Appoints in what cases such as have Charters of Exemption from Purchasers being impanel'd in Assizes, Juries, and Inquests, shall be sworn (that is) in such cases where their Oaths are so requisite, that without them Justice cannot be administered, as in great Assizes, *Perambulations*, and in Deeds of Covenants (where they be named for Witnesses) or in Attaints, and in other like cases they shall be compelled to swear.

C H A P.

C H A P. XV.

Declares, That it shall from henceforth be lawful for Persons, for any manner of Cause, to take Distresses out of his Fee, not in the King's High-way, nor in the common Streer, but only to the King or his Officers, having special Authority to do the same.

C H A P. XVI.

Appoints what remedy the Heir in Ward shall have, when he comes of full Age, against his Lord, if he refuse to surrender his Land without Plea; all which process being now taken away by the abovementioned Statute of *Charles II.* I only mention it.

C H A P. XVII.

Provides, That Guardians in *Socage* shall, whilst the Heir is within Age, make no waste, nor Sale, nor any destruction of the same Inheritance, but shall safely keep it to the use of the said Heir, so that when he cometh to his lawful Age, they shall answer to him for the Issues of the said Inheritance by a lawful Accompt, saving to the same Guardians their reasonable Costs. And that such Guardians shall make no Profit by the marriage of such Heirs, but for the said Heir's Advantage.

C H A P. XVIII.

Appoints, That Justices especially assigned to take Affizes, or to hear and determine Matters, shall from henceforth have no power to amerce for default of common Summons, but only the chief Justicers, or Justicers in *Eyre* in their Circuits.

C H A P. XIX.

Appoints, That in Counties, Hundreds, Court-Barons, or in other Courts, none shall need swear to warrant his Effoine.

C H A P. XX.

None from henceforth (except our Lord the King) shall hold in his Court any Plea of false Judgment, given in the Court of his Tenants; for such Plea especially belongeth to the Crown and Dignity of our Lord the King.

C H A P. XXI.

Appoints, That the Sheriff after complaint to him, shall grant Replevins upon all Distresses taken within the County, unless they were taken within any Liberties; and if the Bayliffs thereof will not deliver them, then upon their Default the Sheriff may do it.

C H A P.

C H A P. XXII.

None from henceforth may distrain his Freeholders to answer for their Freeholds, without the King's Writ, nor shall cause his Freeholders to swear against their Wills; for no Man may do that without the King's Commandment.

C H A P. XXIII.

Provides, That if Bayliffs, who ought to make Accounts to their Lords, do withdraw themselves, and have no Lands nor Tenements whereby they may be distrain'd, then they shall be attached by their Bodies, so that the Sheriff in whose Bailiwick they be found, shall cause them to appear to make their Accompts.

Also Farmers during their Terms, shall not make waste, sale, nor
 * i.e. Destruction, or Spoil. * exile of the Houses, Woods, &c. nor of any thing belonging to the Tenements that they have to farm, without special Licence had by Writing of Covenant, making mention that they may do it; which if they do, and thereof be convict, they shall yield full Damage, and be grievously punished by Amercement.

C H A P. XXIV.

Ordains, That the Justices in Eyre from henceforth shall not amerce Townships in their Circuits, because all Persons of twelve Years old came not before the Sheriffs and Coroners, to make inquiry of Robberies, burnings of Houses, or other things pertaining to the Crown, so that there come sufficient out of those Towns, by whom such Inquests may be made full, except Inquests for the Death of a Man, &c. and other Cases there mention'd.

C H A P. XXV.

Ordains, That Manslaughter where it is found by Misfortune, shall not be judged before the Justices.

C H A P. XXVI.

Provides, That none being vouched to Warranty before the Justices in Eyre in Pleas of Land, or Tenement, shall be amerced from henceforth, because he was not present when he was vouched to Warranty; but that upon Summons by the Sheriff he shall have three or four days time to come in, and make his Appearance, and if he dwelt out of the Shire, then to have Fifteen days at least for that purpose.

C H A P. XXVII.

Ordains, That where a Clerk (*i. e.* one in Holy Orders) is arrested for any Crime or Offence touching the Crown, and is thereupon by the King's Command let to Bail, his Sureties (or Bail) shall not be amerced, if they bring him before the Justices, tho he will not

nor

nor cannot answer, by reason of his Clerical Privilege. But this is now taken away by the Statutes of 28 H. 8. cap. 1. and 32 Hen. 8. cap. 3.

C H A P. XXVIII.

Provides, That all Bishops and Prelates of the Church, may have Actions to demand the Goods of the Church, against such as have trespassed upon, and taken them away from their Predecessors, whether they had sued their Right for such wrongs, or whither they did not pursue their Right during their Lives: the like Remedy also against such as have intruded into the Lands and Possessions of any Bishoprick or Abbey during its vacancy, in which case the Successors shall have a Writ to recover their Seisin; and Damages shall be awarded them, as in Assize of *Novel disseisin*.

C H A P. XXIX.

Ordains, That a new Original Writ of Entry, called *sur-disseisin in the Post*, be provided by the Council of our Lord the King, in case of such Alienations that may happen to be made in such and such Degrees there mention'd, when by reason thereof a common Writ of Entry cannot be made in the Form before times used; and as for the Form of the Writ, the Reader may consult the Register, Fol. 228. Fitzh. N. B. F. 291. if he pleases.

I cannot here omit taking notice that the greatest part of these Statutes had been several Years before pass'd into a Law, by a certain Statute made in the 47th Year of this King, being A. D. 1263, and were indeed part of the Laws and Provisions that had been made at Oxford; and tho the greater part of those Constitutions were then declared Null, yet these being looked upon as not at all derogatory to the King's Prerogative, were confirm'd, as they were also again by this Statute; but for what reason, whither they thought the Times were then Troublesome when they were made, and therefore were not pass'd in due form, is hard to determine at this distance of time.

But since the Edict or Statute, intituled, *Dictum de Kenelmorth*, is only an Award, or Sentence given and confirmed at that Place, by the King, his Noblemen and Commons, in the 31st year of Henry the Third, and since the substance of it is already repeated in the foregoing History, I need speak no further concerning it.

There are likewise some other Temporary Edicts or Laws of this King, which tho they are not in any of our Records, or Law-Books, but only mention'd by some of our Historians, yet they ought not to be omitted; such is that Edict of his that we find in *Matt. Paris*, and which is already taken notice of in this History, under the Year 1228. when the King in his return from York to London, perceiving the measures of Grain, Wine, and Ale, to be extreme false and scanty, he commanded them to be all broken or burnt, and others of a larger size to be made in their Rooms; and also that the weight of Bread should be increased, and ordered the

Offenders

* Vid. *Pulton's*
Statutes.

† P. 156.

Offenders against this Edict to be severely fined; which I take notice of, because they were made several Years before the Statute or Assize of Bread and Beer, * which you will find by the date, was not made till the 15th of this King. Besides this, I find in the same Author's † *Additaments*, that in a Parliament held at *London*, A. D. 1246. there were some Laws made with severer Penalties against those that robbed Parks and Warrens, to this effect.

If the Malefactor fled, or was killed, there was neither Law nor Appeal allowed for his Death; if an Earl, Baron, or Knight, complained to the King that his Deer were stolen, Inquisition was to be made thereupon by the King's Writ; and if he that was indicted, was thereupon convicted, he was to lie in the King's Prison a Year and a Day, and to pay three Years value of his Estate, having sufficient allowed him out of it, to maintain him, of which Fine the King was to have two parts, and he that received the Injury, one; and then he was to find twelve Sureties, that he should never offend in the like kind in any Parks, Warrens, or Forests, nor do any thing against the King's Peace; and these were to answer for his Body, and for his Transgressions: and if any one were taken in a Park or Warren, he was to be imprisoned and fined, and also to give Sureties as before.

There are likewise, besides these temporary Statutes, certain other Edicts or Precepts of this King's, which not being found in any of our Statute-Books, are only extant among the Records of the *Tower*: such are these that follow, viz. that of *Rot. Pat.* 3. of *Henry III.* m. 3. which contains the King's Writ to the Bishop of *Bathe* and *Wells*, and to his fellow Justices Itinerant, for the Counties of *Dorset*, *Somerset* and *Oxon*, with divers other Shires therein mention'd, straitly enjoining them, that in all Trials for the future, they omit those of *Ordeal*, by Fire and Water, as being forbid by a Decree of the Pope and Council. And tho *Ordeal* was never taken away by any Act of Parliament, yet being forbid by the Pope, and look'd upon also as a superstitious and very uncertain way of Trial, it was therefore at the King's command laid aside by the Judges, and soon after grew quite out of use.

The second is, *Rot. Claus.* 19. H. 3. M. 22. Int. containing the King's Writ to the Sheriffs of *London*, straitly commanding them to put down all publick Schools of Laws, or the teaching them within the City for the future: But I cannot here omit that Sir *Edward Coke* in his Proem to his second Institutes, makes this Prohibition to mean certain publick Readings upon *Magna Charta*, and that *de Foresta*, but (as Mr. *Selden* hath very well proved in his Dissertation upon *Fleta*) it was the Canon and not the Common, or Statute-Laws, that were hereby forbid to be taught; and King *Stephen* had long before issued out the like Prohibition against one *Vacarius*, whom Pope *Eugenius* the Second had sent over hither to read at *Oxford*, upon *Gratian's Decretals*.

Neither can I here likewise omit taking notice of a great mistake in Sir *Richard Baker's Chronicle*, which among the Laws said to be made in *Henry the Third's* Reign, sets down this for one, That by a Statute of this King's, the Wardship and Marriage of the King's Barons (he should also have said his other Tenants in Capite) was granted

to the Crown; which Story, tho this Author has borrowed it either from *Polydore Virgil*, or *Henry de Kynghton*, yet to prove it false, I need but refer the Reader to *Magna Charta* in *Englisch*, at the end of *King John's* Reign, or to the *Latin* Original in the *Appendix*, cap. 3, 4, and 6. as also to the Statute of *Merton* made the 20th of *Henry the Third*, by which it appears, that the Wardship and Mariage of the Heir were not granted by any Statute, but were always incident to Knight's Service.

This I thought good to note, that so ordinary Readers, not versed in the Law, may not be misled in reading our less Authentick Historians.

Matters relating to Ireland during the Reign of King Henry the Third.

SINCE Dr. *Brady* has given us at the end of his History, a pretty exact Account of such Writs and Letters as relate to the Affairs of *Ireland*, during this King's Reign, being such as are to be found either upon Record in the *Tower*, or else in *Matt. Paris*, I thought fit to add them here for the Reader's Satisfaction; seeing that That part of *Ireland* which was then under the *Englisch* Dominion, was a Jurisdiction quite different from that Sovereignty which the King claimed over the rest of the *Irish* Princes of that Island.

King Henry by his Councillors in the first Year of his Reign (he being then but nine Years old) or by *William Mareschal* his Governor, to gratify the *Irish* for their Loyalty to his Father and himself, granted out of his special Grace, that they and their Heirs for ever, should enjoy the Liberties granted by his Father to the Kingdom of *England*, which were written and sent sealed thither, under the Seals of the Pope's Legate, and *William* Earl Mareschal, the King then not having * a Seal of his own, and his Father's Seal being lost with his other *Regalia*, in the Passage over the *Washes*.

Append 227.
the English
Hist.

King John's
Charter of
Liberties
granted to the
Irish.

* Rot. Cl. 7. H.
3. M. 5. Dors.

In the seventh Year of his Reign, upon Complaint made by the Citizens of *Dublin* against their Archbishop (who was then the King's Chief Justice) for proceeding contrary to the Laws and Customs of the Nation used in all places of *England*, and for his Usurpation upon the Rights of the Crown, against his Trust and Duty, as Chief Justice, in drawing several Causes belonging to the King's Temporal, to his Ecclesiastical Courts, to enlarge his Jurisdiction, to the Grievance and Dishonour of the King; there was a Writ sent to him to forbear such things for the future, or else that he should be severely dealt with for such practices.

The King prohibits the ABp of Dublin to meddle with secular Causes in Spiritual Courts.

† Rot. Cl. 11.
H. 3. part 1.
M. 21.

In the eleventh Year of his Reign, † there was a Writ sent to *Geoffrey de Marisco*, Justice of *Ireland*, for observing the same Customs and Law there, for taking Persons continuing *Excommunicate* by the space of forty days, upon the Archbishop and Bishop's Certificate by a *Capias Excommunicatum*, as was used in *England*.

The same Law being in Ireland as England, concerning Excommunicate Persons.

* Rot. Cl. 12.
H. 3. M. 8.

In the twelfth Year of his Reign, he wrote to * *Richard de Burgh*, his Justiciary, to call together the Archbishops, Bishops, Abbots, Priors, Earls, Barons, Knights, and Free-Tenents, and his Officers in every County, and to cause the Charter of King *John* to be read before them, and to enjoin them to the strict observation of the Laws contained in it.

* Rot. Cl. 19.
H. 3. M. 20.
Dors.

Free Commerce and Trade between England and Scotland.

In the nineteenth Year of his Reign, the King issued a * Writ to *Maurice Fitz-Gerald* his Justiciary, for free Commerce and Trade between his Subjects of both Nations, without restraint.

† Rot. Cl. 20.
H. 3. M. 13.
Dors.

The Statutes of Merton concerning Bastardy to be observed in Ireland.

The next Year † he wrote to the Archbishop of *Dublin*, and to his Justiciary, for the observation of the Statutes of *Merton*, especially concerning *Bastardy*, and in a case then depending before them.

|| Matt. Paris F. 526. n. 40.
How Coheirs Females were to hold in Knight's Service.

In the twenty fourth Year of his || Reign, the King sent instructions under his Great Seal, how Lands holden in *Knight's Service*, that descended to Sisters, being Co-heirs, should be divided; and how, and by whom, Homage should be done; and in what manner, and of whom the younger Sister should hold according to the Statute of *Ireland*, made the fourteenth Year of his Reign.

* Append. n. 228.

The Laws of England to be strictly observed in Ireland.

In the thirtieth of his Reign, he directed a * Writ to the Archbishops, and others in *Ireland*, that the Laws of *England* should be strictly observed in *Ireland*, as King *John* his Father had formerly commanded.

† Appen. n. 229

The Laws not intended for the benefit of the Native Irish.

Note, This was done without any Authority of Parliament, either in *England* or *Ireland*.

Yet notwithstanding this Command, this Privilege of using the *English* Laws in *Ireland*, † was never designed by King *John*, or King *Henry*, that it should extend to all the Native *Irish*, but only to the *English* Inhabitants that were transplanted thither, or were there born; and to such native *Irish* as faithfully adhered to these Kings and the *English* in *Ireland*, against the *Irish* that complied not with them; and those were not to receive any benefit by them.

|| Rot. Cl. 38.
H. 3. M. 9.
Dors.

The K. sends into Ireland for Forces to be brought to him from thence into Gascoigny.

The King in the Thirty eighth Year was in *Gascoigny*, and wanting Forces, || sent his Writ to *John Fitz-Geoffrey*, his Justice of *Ireland*, to come to him in Person with a good number of Men, if there were no danger of an Insurrection in *Ireland*; otherwise to send *Maurice Fitz-Gerald* with the same Force, and to borrow Money from the Pope's Collector in *Ireland* for that Affair, to be repaid him at a certain day.

* Rot. Pat. 42.
H. 3. M. 5.

Prince *Edward* had the Kingdom of *Ireland* committed to him for his support, with Power to make, and put in and out what Justices and other Officers he pleased, when the Barons were at *Oxford*, and had made their Provisions, in the forty second Year of this King's Reign.

It also appears upon * Record, that the King wrote to the Archbishops, Bishops, Abbots, Priors, Barons, Knights, &c. of that Kingdom, that he heard his Son *Edward* intended to make a new Justiciary there without his Consent, and put his Castles into such Hands, as might be of great Damage to them, and not without danger of their Disinheriting; and therefore commands them not to be obedient to any such Justiciary, Constables, or Keepers of Castles,

ties, made or appointed without his Letters Patents, by the Assent and Advice of his Council.

After the same manner he wrote also to all Mayors and ^{† i. e. Com-} Communities of Cities, and Towns in *Ireland*, and to the Constables of Castles, and commanded *Alan de la Zouche* his Justiciary, not to obey, or give up his Authority to any new Justiciary, or Constable, that should come without his said Letters Patents.

The King wrote likewise * to the Archbishop of *Dublin*, the Bishop of *Meath* his Treasurer, *Walter de Burgh*, and *Maurice Fitz-Gerald*, that he heard there was like to be much Dissension between the Great Men of *Ireland*, and therefore ordered them to secure the Peace of that Nation; and sent them further private Instructions by *Roger Waspail*, who carried these Letters, to whom he commanded them to give entire Credit.

* Rot. Clauf.
40. H. 3. M.
7. Dorf.

The K's Writs
to several
Great Men, to
secure the
Peace of *Ire-*
land.

This is all I find worth noting concerning *Ireland* in this King's Reign, who for the most part appointed courageous Justiciaries and other Officers, by whose Industry, and by putting the *English* Laws in due Execution, that Nation was kept in Peace and Quiet during his Reign.

FINIS

An Advertisement to the Reader.

WHEREAS in the end of King Richard's Reign, p. 574. I have there said, that I had never seen any Charters of King John, wherein he was in direct terms stiled Lord of Ireland, I think it not too late to retract that mistake; for since the printing off of that Reign, I have received Authentick Copies of two several Charters from Ireland, the one of Earl John, with the expresse Title of Lord of Ireland, being a Grant to the Men of Bristol, of the City of Dublin, to inhabit in: The Charter follows.

JOHANNES filius Domini Regis Angliæ & Dominus Hibernia. Archiepiscopis, Episcopis, Abbatibus, Comitibus, Baronibus, Justiciis, Constabulariis, Ministris, & omnibus Ballivis & Fidelibus suis Francis & Anglis & Hiberniensibus, salutem. Sciatis me concessisse & presenti Carta mea confirmasse hominibus meis de Bristowe Donationem quam Dominus Rex Angliæ Pater meus eis dedit, scilicet, Civitatem meam de Divilinâ ad inhabitandam. Quare volo & firmiter precipio quod ipsi eam inhabitent & teneant illam de me & heredibus meis bene & in pace, libere & quiete, integre & plenarie & honorifice, cum omnibus Libertatibus & liberis Consuetudinibus suis, quas homines de Bristowe habent apud Bristowe, & per totam Terram Domini Regis Angliæ patris mei, sicut Carta ipsius testatur. T. Hugone de Laci Constabulario, Bertino de Verdun servo meo, Gilberto Pypard, Willielmo de Wennes Dapifero, Albardo Camerario meo, Adamo de Heford, Philippo de Wirecester, Roberto de Mortemer. Dat. apud Kildare.

*Copia Vera
Examinatur per
Tho. Twigg,
Cleric. Theol. CCD.*

The Seal is in great part broke, but there is still to be seen the Head of the Horse upon it.

There is also another Charter precedent to this, from his Father King Henry the Second, in the same words, of which this above seems to be only a Confirmation, and therefore I would not trouble the Reader with it. But I must observe, that King Henry has not stiled himself in that Lord of Ireland, tho it was dated at Dublin, and he at that time there in Person. The Seal of this is pretty perfect, representing him on the *Fore-side* as sitting on a Throne, and on the *Reverse* as riding on *Horseback*, according to the manner of Seals in those Times.



THE APPENDIX.

I SHALL begin it with the several Charters of Liberties, granted by our *English* Kings of the *Norman* Race, beginning with that of King *William*, and ending with the great Charters of *Henry* the Third, called *Magna Charta*, and *Charta de Foresta*.

* *Charta Regis Willielmi conquistoris de quibusdam Statutis.*

* Printed in Mr. Lambards *Archaionom.* and in Sir Roger Twissden's *Edition of the same Work*, from the *antient Manuscript Copy in the Red Book in the Exchequer.*

WILLIELMUS Rex *Anglorum*, Dux *Normannorum*, omnibus hominibus suis *Francis & Anglis*, Salutem.

I.

De Religione & Pace publica.

STATUIMUS imprimis super omnia, unum Deum per totum Regnum nostrum venerari, unam fidem Christi semper inviolatam custodiri, Pacem, & Securitatem & Concordiam, Judicium & Justitiam inter *Anglos & Normannos*, *Francos & Britones Wallia & Cornubia*, *Pictos*, & *Scotos Albania*, similiter inter *Francos & Insulanos*, Provincias & Patrias, quæ pertinent ad Coronam & dignitatem, defensionem & observationem & honorem Regni nostri, & inter omnes nobis subjectos per Universam Monarchiam Regni *Britannia* firmiter & inviolabiliter observari. Ita quod nullus alii forisfaciat in ullo super forisfacturam nostram plenam.

II.

De fide & obsequio erga Regem.

STATUIMUS etiam ut omnes Liberi homines foedere & Sacramento affirmant, quod intra & extra universum Regnum *Anglia* (quod olim vocabatur Regnum *Britannia*) *Willielmo* Regni Domino suo fideles esse volunt, Terras & Honores illius omni fidelitate ubique servare cum Eo, & contra Inimicos & Alienigenas defendere.

III.

De Normanni seu Francigenæ cede.

VOLUMUS autem & firmiter præcipimus, ut omnes homines, quos nobiscum adduximus, aut post nos venerint, sint sub Protectione

Append.

[A]

& in Pace nostra per universum Regnum prædictum; & si quis de illis occisus fuerit, Dominus ejus habeat intra V. dies homicidam ejus si poterit; sin autem, incipiat persolvere nobis XLVI Marcas argenti, quamdiu substantia Domini illius perduraverit: Ubi vero substantia Domini defecerit, totus Hundredus in quo occisus facta est, communiter solvat quod remanet.

IV.

De Jure Normannorum qui ante adventum Regis Gulielmi Cives fuerant Anglicani.

ET omnis *Fransigena*, qui tempore *Edwards* Propinqui nostri fuit in *Anglia* particeps consuetudinum *Anglorum*, quod ipsi dicunt *Anblote & Anscote*, persolvat secundum legem *Anglorum*.

* i.e. Payment
of Scot and
Lot.

V.

De clientelari seu Fudorum Jure, & Ingentiorum immunitate.

VOLUMUS etiam ac firmiter præcipimus & concedimus, ut omnes Liberi Homines totius *Monarchie* Regni nostri prædicti, habeant & teneant Terras suas & possessiones suas bene & in Pace, libere ab omni Exactione injusta, & ab omni Tallagio, ita quod nichil ab eis exigatur vel capiatur, nisi servicium suum liberum, quod de Jure nobis facere debent & facere tenentur; & prout statutum est eis & illis a Nobis datum & concessum *Jure hereditario* imperpetuum, per *Commune Concilium totius Regni nostri prædicti*.

VI.

De nocturnis custodiis.

STATUIMUS etiam & firmiter præcipimus, ut omnes *Civitates & Burge & Castellæ & Hundredi & Wapentachia* totius Regni nostri prædicti, singulis noctibus vigilentur & custodiantur in Gyrum, pro Maleficis & Inimicis, prout *Vicecomes & Aldermanni, & Præpositi & cæteri Ballivi & Ministri* nostri melius, per *Commune Consilium* ad Utilitatem Regni, providebunt.

VII.

De mensuris & ponderibus.

ET quod habeant per Universum Regnum mensuras fidelissimas & signatas, & pondera fidelissima & signata, sicut boni *Prædecessores* statuerunt.

VIII.

De Clientum seu Vassallorum præstationibus.

STATUIMUS etiam & firmiter præcipimus, ut omnes *Comites & Barones, Milites, & Servientes, & Universi Liberi* homines totius Regni nostri prædicti, habeant & teneant se semper bene in Armis & in Equis, ut decet & oportet, & quod sint semper prompti & bene parati ad Servicium suum integrum nobis explendum & peragendum,

*

cum

cum semper opus adfuerit, secundum quod nobis debent de Feodis & Tenementis suis, de Jure facere, & sicut illis statuimus, *per Commune Concilium* totius Regni nostri prædicti, & illis dedimus & concessimus in Feodo *Jure hereditario*, hoc præceptum non sit violatum ullo modo, super forisfacturam nostram plenam.

IX.

Ut Jura Regia illæsa servare pro viribus conentur subditi.

STATUIMUS etiam & firmiter præcipimus, ut omnes Liberi homines totius Regni nostri prædicti sint fratres conjurati ad Monarchiam nostram & ad Regnum nostrum pro viribus suis & facultatibus, contra Inimicos pro posse suo defendendum & viriliter servandum, & Pacem & Dignitatem Coronæ nostræ integram observandam, & ad Judicium Rectum, & Justitiam constanter omnibus modis pro posse suo sine dolo & sine dilatione faciendam. [*Hoc Decretum sanctum est in Civitate London.*]

X.

Ne venditio & emptio fiat nisi coram testibus & in Civitatibus.

INTERDICIMUS etiam, ut nulla viva * pecunia vendatur * i. e. Pecunia aut ematur nisi intra Civitates, & hoc ante tres fideles testes, nec aliquam Rem vetitam, sine Fidejussore & Warranto: quod si aliter fecerit, solvat & persolvat & postea forisfacturam.

XI.

De Emporiis & Jure urbium, pagorumque notæ melioris.

ITEM nullum Mercatum vel Forum sit, nec fieri permittantur, nisi in Civitatibus Regni nostri, in Burgis & Muro vallatis, & in Castellis & in locis tutissimis, ubi consuetudines Regni nostri & Jus nostrum Commune & Dignitatis Coronæ nostræ, quæ constituta sunt a bonis Prædecessoribus nostris deperiri non possunt, nec defraudari, nec violari, sed omnia rite & in aperto & per Judicium & Justitiam fieri debent. Et ideo Castella, & Burgi & Civitates sitæ sunt & fundatæ, & ædificatæ, scilicet, ad tuitionem Gentium & Populorum Regni, & ad defensionem Regni, & idcirco observari debent cum omni libertate & integritate & ratione.

XII.

De purgatione forensi in Judiciis publicis.

DECRETUM est etiam † ibi, ut si *Francigena* appellaverit *Anglum* de perjurio aut murtro, furto, homicidio, (*Ran* quod dicunt) apertam rapinam quæ negari non potest, *Anglus* se defendat per quod melius voluerit, aut Judicio Ferri, aut Duello: Si autem *Anglus* infirmus fuerit, inveniatur alium, qui pro eo faciat: Si quis eorum victus fuerit, emendet Regi XL solid. Si autem *Anglus Francigenam* appellaverit, & probare voluerit Judicio aut Duello, volo tunc *Francigenam* purgare se sacramento, non ferro.

XIII.

XIII.

Firmantur Leges Edwardi Regis.

HOC quoque præcipimus ut omnes habeant & teneant Leges Edwardi Regis in omnibus Rebus, adauctis hiis, quas constituimus ad utilitatem Anglorum.

XIV.

De Justitiæ Publicæ fidejussoribus.

OMNIS homo qui voluerit se teneri pro libero, sit in plegio, ut Plegius eum habeat ad Justitiam, si quid offenderit, & quisquam evaserit, talium videant Plegii, iur. solvant, quod calumpniatum est, & purgent se quodam evaso nullam fraudem noverint. Requiritur Hundredus & Comitatus (sicut Antecessores statuerunt) & qui juste venire debent & noluerint, summoneantur semel; & si secundo non venerint, accipiat unus Bos; & si tertio, alius Bos; & si quarto, reddatur de rebus hujus hominis quod calumpniatum est, quod dicitur * *Cæpæl*, & insuper Regis forisfactura.

XV.

De servis & eorum manumissione.

ET prohibemus ut nullus vendat hominem extra patriam; si qui vero velit servum suum liberum facere, tradat eum Vicecomiti per manum dextram in pleno Comitatu, quietum illum clamare debet a jugo servitutis suæ per manumissionem, & ostendat ei liberas vias & portas, & tradat illi libera arma, scil. Lanceam & Gladium, deinde *Liber Homo* efficitur.

XVI.

De Servis.

ITEM si Servi permanserint sine Calumpnia per annum & diem in Civitatibus nostris, vel in Burgis Muro vallatis, vel in Castris nostris, a die illa Liberi efficiuntur, & Liberi a Jugo servitutis suæ sint imperpetuum.

XVII.

De suppliciorum modo.

INTERDICIMUS etiam, ne quis occidatur vel suspendatur pro aliqua culpa, sed enervantur oculi & abscidantur pedes, vel testiculi vel manus, ita quod truncus remaneat vivus in signum proditionis & nequitia suæ, secundum enim quantitatem delicti debet poena maleficis infligi: Ista præcepta non sint violata super forisfacturam nostram plenam. Testibus, &c.

* This word, as it is here, has no meaning: I therefore suppose it should have been written *Cæpæl*, which signifies the Price or Value of a thing when taken and sold: that is, if the Person summoned fail'd the fourth Time, he was to pay for his Mulf the price of all his Oxen, which were to be sold, besides a Forfeiture to the King. This Emendation I owe to the Learned Dr. Hicks's Skill in the English Saxon Tongue.

*Alia Charta continens Institutiones sive Leges Regis Willielmi;
qua videntur additiones Prioribus.*

(a) **WILLIELMUS** Dei Gratia, Rex *Anglorum*, omnibus ad quos scriptum hoc perveniat, salutem & amicitiam, quod mando & precipio per totam *Anglia* nationem custodiri.

XVIII.

De examine Forensi.

SI *Anglicus* homo compelleret aliquem *Francigenam* per ^{† i. e. Bat-} Bellum de furto vel Homicidio vel aliqua Re, pro qua Bellum fieri debeat, vel ^{† i. e. Bat-} Judicium inter duos homines, habeat plenam licentiam faciendi. Et si *Anglicus* Bellum nolit, *Francigena* Compellatur adlegiet se in iure jurando contra eum per Suos testes secundum Legem *Normannia*.

XIX.

De eodem.

ITEM si *Francigena* compellat *Anglicum* per Bellum de eisdem rebus, *Anglicus* plena licentia defendat se per Bellum vel per Judicium, si magis ei placeat. Et si *autrum* sit, (id est invalidus) & nolit Bellum vel non posset, querat sibi Legalem Defensorem.

XX.

De eodem.

SI *Francigena* victus fuerit, persolvat Regi LX Solidi. Et si *Anglicus* nolit se defendere per Bellum vel per Testimonium, (b) adlegiet semper **¶ Dei Judicium.**

XXI.

De examine forensi.

DE omnibus *Utlagaria* rebus, Rex instituit, ut *Anglicus* se purget ad Judicium; & si *Anglicus* Appellet *Francigenam*, de *Utlagaria* & hoc super eum invenire velit, defendat se *Francigena* per Bellum. Et si *Anglicus* non audeat eum probare per Bellum, defendat se *Francigena* pleno Juramento, non in verborum observantiis.

* Charta Libertatum Regis Henrici primi.

* Mat. Paris.
p. 55.

HENRICUS Dei Gratia Rex *Anglia*, &c. Hugoni de Bocland Vicecomiti & omnibus fidelibus suis tam *Francis* quam *Anglicis* in *Heresfordshire* salutem, sciatis me Dei misericordia & Communi Consilio Baronum, Regni *Anglia* Regem esse Coronatum.

(a) These are not in the Red Book of the Exchequer, but to be found in Brimton's Chronicle, Col. 982. and are also in the Manuscript belonging to the Dean and Chapter of Rochester, call'd *Tome of Rosensis*, p. 47. as Dr. Hicks observed to me, who will print them in his new Saxon Grammar.

(b) The Saxon is, he laerge hinc mis inene, he shall purge himself with Iron; that is, with the Ordeal hot Iron.

Append.

[B]

I. ET

I. ET quia Regnum oppressum erat injustis exactionibus, ego respectu Dei & amore, quem erga vos omnes habeo, sanctam Dei ecclesiam liberam facio, ita quod nec eam vendam nec ad firmam ponam, nec mortui Archiepiscopo vel Episcopo, vel Abbate, aliquid accipiam de Dominio Ecclesie, vel de hominibus, donec Successor in eam ingrediarur.

II. ET omnes malas Consuetudines, quibus Regnum Angliæ injuste opprimebatur, inde Aufero, quas malas consuetudines in parte hic pono.

III. SIQUIS Baronum meorum, Comitum, vel aliorum, qui de me tenent, mortuus fuerit, heredes sui non Redimet terram suam, sicut facere consueverat tempore Patris mei, sed iuxta & Legitima Relevatione relevabitur: Similiter & homines Baronum meorum legitima & iuxta relevatione relevabunt terras suas de Dominis suis.

* i. e. Tenentes.

IV. ET si quis Baronum vel aliorum hominum meorum, filiam suam tradere voluerit, sive sororem, sive nepotem, sive cognatam, mecum inde loquatur, sed neque ego aliquid de suo pro hac licentia accipiam, neque defendam ei, quin eam det, excepto si eam dare voluerit Inimico meo.

V. ET si mortuus Baro vel alio homine meo, filia sua remanserit, dabo illam cum consilio Baronum meorum cum terra sua, & in dote illi & nobili marito, uxor ejus remanserit, & sine liberis fuerit, dotem suam, & maritagium habebit, & eam non dabo inquit, nisi secundum velle suum. Si vero uxor cum liberis remanserit, dotem suam & maritagium habebit, dum corpus suum legitime servabit; & eam non dabo nisi secundum velle suum, & terræ Liberatorum custos erit sive uxor, sive alius propinquior, qui justus esse debet: & præcipio, ut homines mei similes se continant erga filios & filias & uxores, homines suos.

libro 2. c. 1.

VII. MONETAGIUM Commune, quod capiebatur per Civitates vel Comitatus, quod non fuit tempore Edwardi Regis, hoc ne amodo fiat omnino defendo.

VIII. SI quis captus fuerit sive monetarius sive alius cum falsa moneta, Iustitia recta inde fiat.

IX. OMNIA placita & omnia debita, que Regi fratri meo debebantur, condono, exceptis armis meis, & exceptis illis, que pacta erant pro aliorum hereditatibus, vel pro illis rebus, que iustius alios contingebant. Et si quis aliquid pro hereditate sua pepigerat, illud condono & omnes Relevationes, que pro rectis hereditatibus pacta erant.

libro 2. c. 1.

X. ET si quis Baronum vel hominum meorum infirmabitur, sicut ipse dabit vel dare disposuerit, pecuniam suam: ita datam esse concedo.

XI. QUOD si ipse præventus, vel armis, vel Infirmitate, pecuniam suam nec dederit, nec dare disposuerit, uxor sui, sive Liberi aut parentes, & legitimi homines sui, pro anima ejus eam dividant, sicut eis melius visum fuerit.

XII. SI quis Baronum vel hominum meorum forisfecerit, non dabit vadium in miseria pecunie sue, sicut faciebat tempore Patris, vel fratris mei, sed secundum forisfacturæ modum: nec ita emendabit sicut emendasset retro tempore Patris mei vel fratris.

XIII. QUOD si peridia vel sceleris convictus fuerit, sicut culpa, sic emendet.

*

[8]

XIV. MUR.

XIV. MURDRA etiam retro ab illa die, qua in Regem Coronatus sum, omnia condono, & ea quæ amodo facta fuerint, iuste emendantur secundum Legem Regis *Edwardi*.

XV. FORESTAS *Communi Consilio* Baronum meorum in manu mea, ita retinui, sicut Pater meus eas habuit.

XVI. MILITIBUS, qui per Loricis terras suas defendunt, terras dominicarum carucarum suarum quietas ab omnibus Geldis & omni proptio, Dopo meo concedo; ut sicut tam magno Gravamine alleviati sunt, ita equis & armis bene se instruant, ut apti & parati sint ad servitium meum, & ad defensionem Regni mei.

XVII. PACEM firmam pono in toto Regno meo, & teneri amodo principio *Legem* Regis *Edwardi* vobis reddo, cum illis emendationibus, quibus pater meus eam emendavit. *Consilio* Baronum suorum.

XVIII. SI quis aliquid de modo, vel de rebus aliquis post obitum Regis *Willielmi* fratris mei cepit, totum cito Reddatur abique emendatione; & si quis inde aliquid retinuerit, ille super quem inventum fuerit, graviter mihi emendabit.

& HIS testibus, *Mauricio Londoniensi* Episcopo, *Willielmo Wintoniensi* Electo, *Girardo Hersfordensi* Episcopo, *Henrico* Comite, *Simone* Comite, *Waltero Giffard*, Comite *Roberto de Monte forti*, *Rogero Bigod*, & aliis multis.

* Will. Malms.
de gest. Reg.
p. 179. N. 3.

Charta Regis Stephani.

EGO *Stephanus* Dei Gratia, Assensu Cleri & Populi in Regem Angliæ electus, & a Domino *Willielmo* Archiepiscopo Cantuariæ & Sanctæ Ecclesiæ Romanæ Legato consecratus, & ab *Innocentio* Sanctæ Sedis Romanæ Pontifice postmodum confirmatus, respectu & Amore Dei sanctam Ecclesiam liberam esse concedo, & debitam Reverentiam illi confirmo.

II. NIHIL me in Ecclesia, vel in rebus Ecclesiasticis symoniacum, vel permissurum esse promitto.

III. ECCLESIASTICARUM Personarum & omnium Clericorum, & rerum eorum Justitiam & potestatem & distributionem bonorum Ecclesiasticorum manu Episcoporum esse, perhibeo & confirmo.

IV. DIGNITATES Ecclesiarum, privilegiis earum confirmatis, & consuetudines earum antiquo tenore habitas, inviolate manere concedo & statuo.

V. OMNES Ecclesiarum possessiones, & tenuras, quas die illa habuerant, qua *Willielmus* Rex Avus meus fuit vivus & mortuus, sine omnium calumniantium reclamatione eis liberas & absolutas esse concedo.

VI. SI quid vero de habitis aut possessis ante mortem Regis, quibus modo careat, Ecclesia, deinceps repetierit, indulgentiæ & dispensationi meæ vel discutiendum, vel restituendum reservo.

VII. QUÆCUNQUE vero post mortem Regis, liberalitate Regum, largitione Principum, oblatione, vel comparatione, vel qualibet transmutatione Fidelium collata sunt confirmo.

VIII. PA-

VIII. PACEM meam & Justitiam in omnibus facturum & pro posse meo conservaturum promitto.

IX. FORESTAS quas *Willielmus* Rex avus meus, & *Willielmus* Avunculus meus instituerunt & tenuerunt, mihi reservo. Ceteras omnes, quas *Henricus* Rex superaddidit, Ecclesiis & Regno quietas reddo & concedo.

X. SI quis autem Episcopus vel Abbas, vel alia Ecclesiastica Persona ante mortem suam rationabiliter sua distribuerit, vel distribuenda statuerit, firmum manere concedo.

XI. SI vero morte preoccupatus fuerit, pro salute anime ejus, Ecclesie consilio eadem fiat distributio.

XII. DUM vero Sedes propriis fuerint Pastoribus vacua & ipsa & omnes, earum possessiones, in manu & custodia Clericorum vel proborum hominum, ejusdem Ecclesie committantur, donec Pastor canonice substituantur.

XIII. OMNES Exactiones & *Messeninga*, & Injustitias, sive per Vice-Comites, vel per alios quoslibet male inductas, funditus extirpo. Bonas leges & antiquas & justas consuetudines in murdris, & Placitis & aliis causis observabo, & observari precipio, & constituo apud *Oxford* anno incarnationis Domini 1136. Regni mei primo.

Charta libertatum Angliæ Henrici II.

N. 4.
Ex Vol. II.
Concil. Britan.
D. Hen. Spelman. p. 51.

HENRICUS Dei Gratia Rex *Anglorum*, Dux *Normannia* & *Acquitania*, Comes *Arundelie*, Baronibus & Fidelibus suis *Francie* & *Anglie*, Salutem.

I. SCIATIS me ad honorem Dei & sanctæ Ecclesiæ & pro communi emendatione rotius Regni mei, Concessisse & reddisse & presenti Charta mea Confirmasse, Deo & Sanctæ Ecclesiæ & omnibus Comitibus & Baronibus & omnibus hominibus meis, omnes Consuetudines quas Rex *Henricus* Avus meus eis dedit & concessit; Similiter etiam omnes malas consuetudines, quas ipse delevit & remisit, Ego remitto & deleri concedo pro me & Hæredibus meis.

II. QUARE volo & firmiter precipio, ut sancta Ecclesia, & omnes Comites & Barones, & omnes mei homines, omnes illas Consuetudines & donationes & Libertates, & liberas Consuetudines habeant & teneant libere & quiete, bene & in pace, integre, de me & Hæredibus meis, sibi & Hæredibus suis, adeo libere & quiete & plenarie in omnibus, sicut Rex *Henricus* Avus meus eis dedit & concessit, & Charta sua confirmavit. Test. *Richardo de Lucy*.

Charta

Charta libertatum Regis Johannis,

Sicut invenitur in *Mat. Paris*, p. 255. Collata cum duabus Chartis Original. una in Bibliotheca *Cotton*. altera in Archivis Ecclesiæ *Sarisburyensis*, penes Decanum & Capitulum.

JOHANNES Dei Gratia Rex *Anglia*, Dux *Normannia* & *Acquitania*, Comes *Andegavia*, Archiepiscopis, Episcopis, Abbatibus, Prioribus, Comitibus, Baronibus, * *Justitiariis*, & *Forestariis*, Vicecomitibus, * *Ita in S. & C. defunt in M. Paris.* Praepositis, Ministris & omnibus Ballivis, & fidelibus suis, † *presentem* *Chartam inspecturis*, salutem. Sciatis nos intuitu Dei & pro salute animæ nostræ & Antecessorum omnium & Hæredum meorum, & ad honorem Dei, & exaltationem S. Ecclesiæ, & emendationem Regni nostri, per Consilium venerabilium patrum nostrorum, *Stephani Cantuariensis* Archiepiscopi, totius Angliæ Primatis, & Sanctæ Romanæ Ecclesiæ Cardinalis, *Henrici Dublinensis* Archiepiscopi, *Willielmi Londinensis* Episcopi, *Petri Wintoniensis*, *Jocelini Bathoniensis* & *Glaston*, *Hugonis Lincolnensis*, *Walteri Wigornensis*, *Willielmi Coventrensis*, *Benedicti Rossensis* Episcoporum, & magistri *Pandulphi* Domini Papæ Subdiaconi & familiaris, & fratris *Eymerici* magistri Militiæ Templi in *Anglia*, & Nobilium virorum *Willielmi* Mareschalli Comitis *Pembroc.* *W.* Comitis *Saresberienensis*, *Willielmi* Comitis *Warrenna*, *Willielmi* Comitis *Arundel*, *Alani de Galerveia* Constabularii *Scotia*, *Warini filii Geraldii*, *Petri filii Hereberti*, & *Huberti de Burgo*, Seneschalli *Pictavia*, *Hugonis de Nevilla*, *Matthæi filii Hereberti*, *Thoma Basset*, *Alani Basset*, *Philippi de Albeniaco*, *Roberti de Roppele*, *Johannis Mareschalli*, & *Johannis filii Hugonis*, & Aliorum Fidelium nostrorum. Imprimis concessisse Deo, & hæc præsentī Charta nostra confirmasse pro nobis & Hæredibus nostris in perpetuum.

I. QUOD Anglicana Ecclesia libera sit, & habeat Jura sua integra, & libertates suas illæsas, || & ita volumus observari, quod apparet ex eo, quod libertatem Electionum, quæ maxima & magis necessaria reputatur Ecclesiæ Anglicanæ, mera & spontanea voluntate, ante discordiam, inter nos & Barones nostros manifeste motam, concessimus, & charta nostra confirmavimus, & eam obtinimus a Domino Papa Innocentio tertio confirmari; quam & nos observabimus, & ab hæredibus nostris in perpetuum bona fide volumus observari. || Defunt hæc in Charta R. Henrici 3.

II. CONCESSIMUS etiam omnibus liberis hominibus Regni nostri, pro nobis & hæredibus nostris in perpetuum, omnes libertates subscriptas; habendas & tenendas eis & hæredibus suis de nobis & hæredibus nostris.

III. SI quis Comitum vel Baronum nostrorum, sive aliorum Tenantium de nobis in Capite per Servitutum militare mortuus fuerit, & cum decesserit hæres suus plenæ ætatis fuerit & relevium debeat; habeat hæreditatem suam per antiquum relevium, scilicet hæres vel hæredes Comitis de Baronia Comitis Integra, per centum libras; hæres vel hæredes Baronis de Baronia integra centum * *marcas*; hæres vel hæredes militis de feodo militis integro per centum Solidos ad plus; & qui minus debuerit, minus det, secundum antiquam consuetudinem feudorum. * S. Libras.

IV. SI autem hæres alicujus talium fuerit infra ætatem, & fuerit in Custodia, * *Dominus ejus non habeat Custodiam ejus, nec terra sua, antequam homagium ejus ceperit, & postquam talis hæres fuerit in Custodia, & ad ætatem pervenerit, scilicet viginti & unius Anni, habeat hæreditatem suam sine Relevio, & sine Fine, ita tamen quod si ipse, dum infra ætatem fuerit, fiat miles, nihilominus terra remaneat in Custodia Dominorum suorum usque ad terminum prædictum.*

V. CUSTOS terræ hujusmodi hæredis, qui infra ætatem fuerit, non capiat de Terra hæredis, nisi rationabiles Exitus, & rationabiles consuetudines, & rationabilia servitia : & hoc sine destructione & vasto Hominum vel Rerum. Et si Nos Commiserimus custodiam alicujus talis terræ Vicecomiti vel alicui alii, qui de exitibus *† terra illius* nobis debeat respondere, & ille destructionem de custodiâ fecerit vel vastum; nos ab illo capiemus Emendam, & terra committatur duobus legalibus & discretis hominibus de Feudo illo, qui similiter de Exitibus nobis respondeant, vel ei cui eos assignabimus, *|| sicut prædictum est.*

VI. CUSTOS autem quam diu custodiam terræ habuerit sustentet, domos parcos, vivaria, stagna, molendina, & cætera ad illam terram pertinentia, de exitibus terræ ejusdem, & Reddat hæredi, cum ad plenam ætatem pervenerit, terram suam totam, instauratam de carucis & Waynaglis, *† secundum quod Tempus Waynagii exigit, & exitus Terra rationabiliter poterit sustinere.* * *Et omnibus aliis rebus, ad minus secundum quod illa recepit : Hac omnia observentur de custodiis Archiepiscopatum, Episcopatum, Abbatiarum, Prioratum, Ecclesiarum & Dignitatum vacantium, quæ ad nos pertinent ; excepto quod custodiæ Hujusmodi vendi non debent.*

VII. HÆREDES maritentur sine disparagatione : * *ita tamen quod antequam contrahatur matrimonium, ostendatur Propinquus de consanguinitate ipsius hæredis.*

VIII. VIDUA post mortem mariti sui, statim & sine difficultate ** aliqua* habeat, Maritagium ** suum* & Hæreditatem suam ; nec aliquid det pro Dote sua, vel pro Maritagio suo, vel Hæreditate sua, quam Hæreditatem etiam maritus suus & ipsa tenuerunt, die obitus ipsius mariti : Et maneat in Domo capitali messuagio mariti sui per quadraginta dies, post obitum ipsius mariti, infra quos assignetur ei Dos sua, *† [nisi ei prius fuerit assignata :] || vel nisi domus illa fuerit Castrum, & si de Castro recesserit, statim provideatur ei domus competens, in qua possit honeste morari, quousque ei Dos sua assignetur, secundum quod prædictum est & habeat rationabile, Estoverium suum interim de Comuni ; Assignetur autem ei pro Dote sua tertia pars totius terre mariti sui, quæ sua fuit in vita, nisi de minore dotata fuerit ad ostium Ecclesie.*

IX. NULLA vidua destringatur ad se maritandum, dum voluerit vivere sine marito ; ita tamen quod securitatem faciat, quod se non maritabit sine Assensu nostro, si de Nobis tenuerit ; vel sine Assensu Domini sui de quo tenuerit, si de alio tenuerit.

X. NEC Nos vel nec Ballivi nostri *|| non* seisiemus terram aliquam, nec redditum pro debito aliquo, quamdiu catalla Debitoris ** presentia* sufficiunt ad debitum reddendum ; *† & ipsa Debitor paratus sit inde satisfacere, nec Plegii ipsius Debitoris destringantur, quamdiu ipse Capitalis Debitor sufficiat ad solutionem Debiti.*

XI. ET si capitalis Debitor defecerit in solutione Debiti, non habens unde *|| reddat, aut reddere nolit, cum possit Plegii respondeant de Debito :*

Debito : & si voluerint, habeant terras & redditus debitoris, * quousque sit eis satisfactum de Debito quod ante pro eo solverint ; nisi capitalis Debitor monstraverit se inde esse quietum versus eosdem Plegios. ^{* C. & S. De nec.}

XII. SI quis mutuo Acceperit aliquid à Judæis plus vel minus, & moriatur antequam debitum illud † persolverit ; debitum illud non asuret, quam diu hares fuerit infra aetatem, de quocunque teneat : & si debitum illud incidat in manus nostras, nos non capiemus nisi catallum contentum in Charta. ^{Defunt hæc duo Capitula de Debitis Judæorum, in Chartis H. 3. † In C. & S. solvatur.}

XIII. ET si quis moriatur & debitum debeat Judæis, uxor ejus habeat Dotem suam, & nil reddat de Debito illo. Et si liberi ipsius Defuncti, qui fuerint infra aetatem, remanserint, provideantur eis necessaria secundum tenementum quod fuerit Defuncti, & de residuo solvatur Debitum ; salvo ‖ tamen servitio Dominorum, simili modo fiat de Debitis, quæ debentur aliis quam Judæis. ^{Deest in S. & C.}

XIV. * NULLUM Scutagium vel Auxilium † ponam in Regno nostro, nisi per Commune Concilium Regni nostri, nisi ad Corpus nostrum redimendum, & ad primogenitum Filium nostrum militem faciendum, & ad primogenitam Filiam nostram semel maritandam ; Et ad hæc non fiat nisi rationabile Auxilium. ^{* Deest totum in Chart. H. 3. † In S. & C. ponatur.}

XV. ‖ SIMILI modo fiat de Auxiliis de Civitate Londinensi ; & Civitas London. habeat omnes antiquas Libertates & liberas Consuetudines suas, tam per terras quam per aquas. ^{Defunt in Charta Hen. 3.}

XVI. PRÆTEREA Volumus & concedimus quod omnes aliæ Civitates & Burgi, & Villæ, * & Barones de quinque Portibus, & omnes Portus, habeant omnes Libertates & omnes liberas consuetudines suas, † Et ad habendum commune concilium Regni de ‖ Auxiliis assidendis, aliter quam in tribus casibus predictis. ^{* Defunt in S. & C. † Defunt in Charta Hen. 3. hæc quinque Capitula sequentia.}

XVII. * ET de Scutagiis assidendis, submoneri faciemus Archiepiscopos, Episcopos, Abbates, Comites, & Majores Barones Regni sigillatim per literas nostras. ^{In C. & S. Auxilio assidendo. * In C. & S. vel de Scutagio Assidendo.}

XVIII. ET præterea faciemus, submoneri in generali, per Vicecomites & Ballivos nostros, omnes illos alios, qui in Capite tenent de nobis, ad certum diem, scilicet ad terminum quadraginta dierum ad minus, ad certum locum, & in omnibus literis summonitionis illius, causam summonitionis illius exprimemus.

XIX. ET sic facta summonitione, negotium procedat ad diem assignatum secundum consilium illorum qui præsenes fuerint, quamvis non omnes summoniti venerint.

XX. NOS non concedemus de cætero alicui, quod capiat Auxilium de liberis hominibus suis, nisi ad corpus suum redimendum ; & ad faciendum primogenitum filium suum militem, & primogenitam filiam suam semel maritandam ; & ad hæc non fiat nisi rationabile Auxilium.

XXI. NULLUS distringatur ad faciendum majus servitium de feudo militis, nec de alio libero Tenemento quam inde debetur.

XXII. COMMUNIA placita non sequantur curiam nostram, sed teneantur in aliquo certo Loco.

XXIII. RECOGNITIONES de nova Disseisina, de morte Antecessoris, & de ultima Præsentatione non capiantur nisi in Comitatus suis & hoc modo : Nos (vel si extra regnum fuerimus) capitalis Justitiarius noster, mittet Justitiarios nostros per unumquemque Comitatum per vices in anno, qui cum militibus Comitatum, capiant in

* Ita in C. & S. in Comitatus Affisas * *prædictas*. Et ea quæ in illo Adventu suo in Comitatus per Justiciarios prædictos, ad prædictas Affisas capiendas missos, terminari non possunt per eisdem propter difficultatem Articulorum terminari non possunt, referantur ad Justiciarios nostros de Banco. Aliter se habet in C. & S. hic Articulus, viz.

XXIV. ET si mittemus duos Justiciarios per unumquemque Comitatum per quatuor vices in anno, qui cum militibus Comitatum cujuslibet Comitatus electis per Comitatum, capiant in Comitatu, & in die & loco Comitatus, Affisas prædictas; & si in die Comitatus Affisa prædicta capi non possint, tot milites & Libere Tenentes remaneant de illis qui interfuerunt Comitatu die illo, per quos possint sufficienter Judicia fieri secundum quod negotium fuerit majus vel minus.

† Defunt in S. & C. XXV. † ASSISÆ de ultima Presentatione Ecclesiarum semper capiuntur eorum Justitiariis de Banco, & ibi terminentur.

XXVI. LIBER homo non amercietur pro parvo delicto, nisi secundum modum ipsius delicti; salvo Contenemento suo. Et Mercator eodem modo, salva mercandisa sua. Et Villanus || *alterius quam noster*, eodem modo amercietur; salvo Waynagio suo, si inciderit in misericordiam nostram. Et nulla prædictarum Misericordiarum ponatur, nisi per

* Deest in C. & S. Sacramentum proborum & * *legalium* hominum de Vicineto Comitatus.

XXVII. COMITES & Barones non amercientur, nisi per Pares suos; & non nisi secundum modum Delicti.

† Ita in C. & S. in M. P. nulla Ecclesiastica Persona amercietur, &c. XXVIII. † NULLUS Clericus amercietur de laico Tenemento suo, nisi secundum modum aliorum prædictorum, & non secundum quantitatem Beneficii sui Ecclesiastici. In M. P. sequitur, *sed secundum laicum Tenementum suum, & secundum Quantitatem delicti*.

XXIX. NEC villa nec homo destringatur facere pontes ad Riparias, nisi qui ab Antiquo & Jure facere debent.

|| Deest totum in S. & C. XXX. || NULLA Riparia de cetero defendetur, nisi illa qua fuerat in defenso tempore Henrici Regis Avi nostri.

XXXI. NULLUS Vicecomes, Constabularius, Coronatores, vel alii Ballivi nostri, teneant Placita Coronæ nostræ.

XXXII. OMNES Comitatus & Hundredi Wapenragia & Trethingi, sint ad antiquas firmas, absque ullo incremento, exceptis Dominicis maneriis nostris.

XXXIII. SI Aliquis tenens de Nobis laicum feudum moriatur, & Vicecomes vel Ballivus noster litteras * *nostras* ostendat patentes, de summonitione nostra non de debito, quod defunctus nobis debuit; liceat Vicecomiti vel Ballivo nostro attachiare & imbreviare catalla Defuncti inventa in laico Feodo ad Valentiam illius debiti, per visum legalium hominum; ita tamen quod nichil inde amoveatur, donec persolvatur debitum Nobis quod clarum fuerit, & residuum relinquatur Executoribus ad faciendum testamentum Defuncti. Et si nichil nobis debeatur ab ipso, omnia catalla cedant Defuncto; salvo uxori ipsius & pueris rationabilibus partibus suis.

† Defunt in M. P. XXXIV. † SI Aliquis liber homo intestatus decesserit, catalla sua per manus Propinquorum, Parentum & amicorum suorum per visum Ecclesie distribuantur; salvo unicuique debitis qua defunctus ei debebat.

|| Defunt in S. & C. XXXV. NULLUS Constabularius, vel alius Ballivus noster capiat blada vel alia catalla alicujus, || *qui non de Villa ubi Castrum situm sit*, nisi statim inde reddat denarios, aut respectum inde habere possit de voluntate venditoris; * *si autem de Villa ipsa fuerit, infra quadraginta dies pretium reddat.*

XXXVI.

XXXVI. NULLUS Constabularius destringat militem aliquem ad dandum denarios pro custodia Castri; si ipse eam facere voluerit in propria persona sua, vel per alium probum hominem; si ipse eam facere non possit * *propter rationabilem causam.* * In M. P. per

XXXVII. ET si nos duxerimus, vel miserimus eum in Exercitum, erit quierus de Custodia, secundum quantitatem temporis, quo per nos fuerit in Exercitu, † *de feodo, pro quo fecit servitium in Ex-* † Desunt in C. & S.

XXXVIII. NULLUS Vicecomes vel Ballivus noster vel aliquis alius, capiat equos vel Carectas alicujus || *Liberi hominis* pro cariagio faciendo, * *nisi reddat liberationem antiquitus statutam; scilicet pro* † Desunt in M. P.
Carecta ad duos equos, decem denarios per diem, & pro carecta ad tres equos, quatuordecim denarios per diem, * Desunt in C. & S. ubi est, nisi de voluntate ipsius Liberi Hominis.

XXXIX. † *NULLA* carecta Domini alicujus Ecclesiasticae Personae vel Militis, vel alicujus Dominae, capiatur per Ballivos predictos: nec Nos, nec Ballivi nostri capiemus boscum aliorum ad Castra vel agenda nostra, nisi per voluntatem illius cujus Boscus ille fuerit. † Desunt in S. & C.

XL. NOS autem non tenebimus terras eorum, qui convicti fuerint de Felonia, nisi per unum annum & unum diem; & tunc reddantur terrae Dominis feudorum.

XLI. OMNES Kidelli de cetero deponantur penitus de Tamisa & de Medewala, & per totam Angliam; nisi per Costam maris.

XLII. BREVE quod vocatur *Præcipe*, de cetero non fiat Alicui de aliquo tenimento, unde liber homo || *perdat causam suam.* † In C. & S. possit amittere Curiam suam.

XLIII. UNA mensura vini sit per totum regnum nostrum, & una cervisia; & una mensura bladi, scilicet Quarterium *Londinense*; & una latitudo pannorum tinctorum & russatorum & *Albergatorum*, scilicet duae ulnae infra listas: De ponderibus autem sicut de mensuris.

XLIV. NICHIIL detur vel capiatur de cetero pro *Brevi Inquisitionis*, * *ab eo qui Inquisitionem petis de vita, vel membris; sed gratia concedatur & non negetur.* * Desunt in C. & S.

XLV. SI aliquis teneat de nobis per feodi Firmam vel per Socagium vel per Burgagium, & de alio teneat terram per servitium militare, nos non habebimus custodiam heredis, nec terra sua, quae est de feodo alterius, occasione illius feodi, firmæ, vel Socagii, vel Burgagii; nec habebimus custodiam illius feodi Firmæ vel Socagii, vel Burgagii, nisi ipsa feodi firma debeat Servitium militare.

XLVI. NOS non † *tenebimus* custodiam heredis vel terre alicujus, quam tenet de alio per servitium militare, occasione alicujus patris Sergentiae, quam tenet de nobis per servitium reddendi Nobis cuttellos, vel sagittas vel hujusmodi. † In C. & S. habebimus.

XLVII. NULLUS Ballivus ponat aliquem de cetero ad legem, || *nec ad Juramentum* simplici loquela sua; sine testibus fidelibus ad hoc inductis. † Desunt in M. P.

XLVIII. NULLUS liber homo capiatur, vel imprisonetur aut disseisietur * *de aliquo libero tenimento suo, vel Libertatibus vel liberis* * Desunt in C. & S.
Consuetudinibus suis; aut uclagetur aut exuletur, aut aliquo alio modo destruat; nec super eum ibidem, nec † *eum in carcere mittimus;* † Desunt in S. & C. ubi [nec super eum.]

XLIX. NULLI vendemus, nulli negabimus, aut differemus Rectum, vel Justitiam.

* Defunt in C.
& S.

L. OMNES mercatores [* nisi publice prohibiti fuerint] habeant saluum & securum exire de Anglia & venire in Angliam, & morare & ire per Angliam tam per terram, quam per aquam, ad emendum vel vendendum sine omnibus Toltis malis, per antiquas & rectas Consuetudines, præterquam in tempore Gwerræ, & si sint de terra contra Nos Gwerrina.

† In C. & S.
qui tunc inven-
iuntur.

¶ Deest to-
rum in Charta
H. 3.

LI. ET si Tales inveniantur in terra nostra in principio Gwerræ, attachientur sine damno corporum vel rerum; donec sciatur a Nobis, vel a capitali Justitiario nostro, quomodo Mercatores terræ nostræ tractentur † in terra contra nos Gwerrina; & si nostri salvi sint ibi, alii salvi sint in Terra nostra.

¶ Deest to-
rum in Charta
H. 3.

LII. || LICEAT unicuique de cætero exire de regno nostro, & redire salvo & secure per terram & per aquam, salva fide nostra; nisi in tempore Gwerræ per aliquod breve tempus propter Communem utilitatem Regni; exceptis imprisonatis & utlagatis, (secundum legem Regni) & Gente de Terra contra nos Gwerrina & Mercatoribus, de quibus fiat sicut prædictum est.

† Defunt in
C. & S.

LIII. SI quis tenuerit de aliqua Eschaeta, sicut de honore Walingfordia, Natingham, Bononia, Lancastria, vel de aliis Eschaetis, quæ sunt in manu nostra, & sint Baroniz, & obierit; hæres ejus non det aliud relevium, nec faciat nobis aliud servitium, quàm faceret Baroni, si illa Baronia esset in manu Baronis: & nos eodem modo eam tenebimus quo Baro eam tenuit, † [nec nos occasione talis Baroniz, vel Eschaeta habebimus aliquam Eschaetam vel custodiam aliquorum Hominum nostrorum, nisi alibi tenuerit de nobis in Capite ille qui tenuit Baroniam vel Eschaetam.]

Deest in C.
& S.

LIV. HOMINES qui manent extra Forestam, non veniant de cætero coram Justitiariis nostris de Foresta per Communes summonitiones; nisi sint in Placito, vel plegii alicujus vel aliquorum, qui attachiati sint pro Foresta.

Deest in C.
& S.

LV. OMNES autem Bosci qui fuerint afforestati per Regem Richardum fratrem nostrum, statim deafforestentur, nisi fuerint domini bosci nostri.

Deest in S.
& C.

LVI. NULLUS Liber homo de cætero det amplius alicui, vel vendat de terra sua, quam ut de residuo terræ suæ possit sufficienter fieri Domino feudi servitium ei debitum, quod pertinet ad feudum illud.

Hoc inven-
itur in C. &
S. sed alio lo-
co.

LVII. OMNES Patroni Abbatiarum, qui habent Chartas regum Angliæ de advocacione, vel per aliquam antiquam tenuram vel possessionem, habeant earum custodiam cum vacaverint; sicut habere debent, & sicut supra declaratum est.

Deest in C.
& S.

LVIII. NULLUS capiatur vel imprisonetur, propter Appellationem sceminz, de morte alterius quam viri sui.

LIX. NULLUS Comitatus teneatur de cætero, nisi de mense in mensem; & ubi major terminus esse solebat, major sit.

LX. NEC Vicecomes aliquis, vel Ballivus suus faciat terminum suum per Hundredum, nisi bis in anno, & non nisi in loco debito & consueto; videlicet semel post pascha, & iterum post festum Sancti Michaelis. Et visus similiter de Franco plegio, tunc fiat ad illum terminum Sancti Michaelis sine occasione, ita scilicet quod quilibet habeat suas libertates, quas habuit & habere consuevit tempore Henrici Regis avi nostri, vel quas postea adquisivit.

LXI. FIAT

LXI. FIAT autem visus de Franco plegio sic, ut pax nostra teneatur, & quod tethinga integra sit sicut esse consuevit. Deest in C. & S.

LXII. ET quod Vicecomes non quærat occasiones; & quod contentus sit de eo quod Vicecomes habere consuevit de visu suo faciendo, tempore *Henrici* Regis avi nostri. Deest in C. & S.

LXIII. NON liceat de cætero, alicui dare terram suam domui religionis; ita quod illam resumatur tenendam de eadem domo. Deest in C. & S.

LXIV. NEC liceat alicui domui religionis terram sic accipere, quod tradat eam illi a quo illam recepit tenendam. Si quis autem de cætero terram suam sic dederit domui religioſæ, & super hoc convinctur; donum suum penitus cassetur, & terra illa domino suo illius feudi incuratur. Deest in C. & S.

LXV. SCUTAGIUM de cætero capiatur, sicut capi tempore Regis *Henrici* avi nostri consuevit; & quod Vicecomes non quærat occasiones, & quod contentus sit de eo quod Vicecomes habere consuevit. Deest in C. & S.

LXVI. OMNES autem consuetudines prædictas & libertates quas concessimus in regno nostro tenendas, quantum ad nos pertinet erga omnes homines nostros de regno nostro, tam Clerici quam Laici nostri observent, quantum ad se pertinet erga homines suos. Deest in C. & S.

LXVII. SALVIS Archiepiscopis, Episcopis, Abbatibus, Prioribus, Templariis, Hospitalariis, Comitibus, Baronibus, Militibus, & omnibus aliis tam Ecclesiasticis Personis quam secularibus, libertatibus & liberis consuetudinibus, quas prius habuerunt. His restibus, &c. Deest in C. & S.

[BESIDES the above written Articles contain'd in the Charter of King *John*, as it is in *Mat. Paris*, and the Manuscript Copy of *Bennet College*, there follow in the Manuscript Originals abovementioned, as also in the Copy in *Lambeth Library*, these following additional Chapters which are not found in those Copies; beginning after the 55th Chapter, and so proceeding to the end of the said Charter, those that are in the Print being all omitted except the 58th.]

LXVIII. OMNES autem Forestæ, quæ afforestatæ fuerint tempore nostro, deafforestantur; & ita fiat de Ripariis, quæ per nos tempore nostro positæ sunt in defenso.

LXIX. NOS non faciemus Justitios, vel Constabularios, Vicecomites, vel Ballivos, nisi de talibus qui sciant *Legem Regni*, & eam bene velint observare.

LXX. OMNES malæ consuetudines de Forestis & Warrenis, & de Forestariis & Warrenariis, Vicecomitibus & eorum ministris, Ripariis & earum Custodibus, statim inquirantur in quolibet Comitatu per duodecim milites juratos de eodem Comitatu, qui debent eligi per probos homines ejusdem Comitatus; & infra quadraginta dies post Inquisitionem factam, penitus (ita quod nunquam revocentur) deleantur per eosdem; ita quod nos hoc sciamus prius vel Justitiarius noster, si nos in Anglia non fuerimus.

LXXI. OMNES Obsides & Cartæ statim reddentur, quæ liberatæ fuerint nobis ab *Anglicis* in securitatem Pacis velut fideles Servientes.

LXXII. NOS amovebimus penitus de Baliis, Parentes *Girardi* de *Acriis*, quod de cætero nullam habeant Balliam in *Anglia*, scil. *Engelardum*

dum de Cigonum, Andream, Petrum & Simonem de Chancellie, Simonem de Cigonum, Galsfridum de Marlem, & Fratres ejus, & Galsfridum nepotem ejus, & totam sequelam eorundem.

LXXIII. ET statim post Pacis Reformationem amovebimus de Regno, omnes Alienigenas milites, Balistarios servientes & stipendarios, qui venerunt cum equis & armis ad nocumentum *Regni*.

LXXIV. SI quis fuerit disseisitus vel elongatus per nos sine legali Judicio Parium suorum, de Terris, Castellis, Libertatibus, vel Jure suo, statim ei restituentur; & si contentio super hoc orta fuerit, tunc inde fiet per Judicium Viginti quinque Baronum, de quibus fit mentio inferius in securitate Pacis.

LXXV. DE omnibus autem aliis, de quibus aliquis disseisitus fuerit, vel elongatus, sine legali Judicio Parium suorum, per *Henricum* Regem Patrem nostrum, vel per *Richardum* Regem Fratrem nostrum, quæ in manu nostra habemus, vel quæ alii tenent, quæ nos oportet Warrantizare, respectum habebimus usque ad Commune Terminum * *Cruce signatorum*, exceptis illis de quibus placitum motum fuerit, vel Inquisitio facta per Præceptum nostrum ante susceptionem Crucis nostræ.

* i.e. Those who had undertaken the Crusade.

† Scil. ad Terram Sanctam.

LXXVI. CUM autem redierimus de † Peregrinatione nostra, vel si forte remanserimus a Peregrinatione nostra, statim inde Plenam Justitiam exhibemus.

LXXVII. EUNDEM autem respectum habebimus & eodem modo de Justitia exhibenda de Forestis deafforestandis, vel remanfuris Forestis, quas *Henricus* Pater noster & *Richardus* Frater noster afforestaverunt.

LXXVIII. ET de Custodiis Terrarum, quæ fuerunt de alieno Feodo, cujusmodi custodias hucusque habuimus occasione feodi, quod aliquis de nobis tenuit per servitium militare, & de Abbatibus quæ fundatæ fuerunt in Feodo alterius quam nostro, in quibus Dominus Feodi dicit se Jus habere, cum redierimus; vel si remanserimus a Peregrinatione nostra, super hiis Conquerentibus plenam Justitiam statim exhibebimus.

LXXIX. OMNES Fines, qui injuste & contra Legem Terræ facti sunt nobiscum, & omnia Amerciamenta facta injuste, & contra Legem Terræ, omnino condonentur; vel fiat inde per Judicium Viginti quinque Baronum, de quibus fit mentio inferius in securitate Pacis, vel per Judicium majoris Partis eorundem, una cum prædicto *Stephano Cantuar. Archiepiscopo*, si interesse poterit, & aliis quos secum ad hoc vocare voluerit; & si interesse non poterit, nihilominus procedat negotium sine eo: ita quod si aliquis vel aliqui de prædictis viginti quinque Baronibus fuerint in Simili Querela, amoveantur quantum ad hoc Judicium, & alii loco illorum per residuos de Viginti quinque eisdem tantum ad hoc faciendum Electi & Jurati substituantur.

LXXX. SI nos disseisivimus vel elongavimus Wallenses de Terris vel Libertatibus vel rebus aliis, sine Legali Judicio Parium suorum in *Anglia* vel in *Wallia*, eis statim reddantur; & si contentio super hoc orta fuerit, tunc inde fiat in *Marchia* per Judicium Parium suorum de Tenementis *Angliæ* secundum Legem *Angliæ*, de Tenementis *Walliæ* secundum Legem *Walliæ*, de Tenementis *Marchiæ* secundum Legem *Marchiæ*: idem facient *Wallenses* nobis & nostris.

LXXXI. DE omnibus illis autem de quibus aliquis Wallensium disseisitus fuerit, * *vel Elongatus* sine Legali Judicio Parium suorum,

* Deest in C. & S.

rum, per *Henricum* Regem Patrem nostrum, vel per *Richardum* Regem Fratrem nostrum, quæ nos in manu nostra habemus, vel quæ alii tenent, quæ nos oportet Warrantizare, respectum habebimus usq; ad Communem Terminum Cruce Signatorum, exceptis illis de quibus Placitum motum fuerit, vel Inquisitio facta per Præceptum nostrum ante susceptionem Crucis nostræ, cum autem redierimus; vel si forte remanserimus a Peregrinatione nostra, statim eis inde plenam Justitiam exhibebimus secundum * *Leges Wallensium*, & Partes Prædictas.

* In S. Legem Walliz.

LXXXII. NOS reddemus filium *Lewelini* statim, & omnes obsides de *Wallia*, & Cartas, quæ nobis liberatæ fuerunt in securitatem Pacis.

LXXXIII. NOS faciemus *Alexandro* Regi *Scotorum* de sororibus suis, & de obsidibus reddendis, & libertatibus suis, & de Jure suo, secundum formam in quo faciemus aliis Baronibus nostris *Angliæ*, nisi aliter esse debeat per Cartas, quas habemus de *Willielmo* Patre Ipsius, quondam Rege *Scotorum*; & hoc erit per Judicium Parium in Curia nostra.

LXXXIV. OMNES autem istas Consuetudines Prædictas & Libertates quas Nos concessimus in Regno nostro, tenendas quantum ad Nos pertinet, erga nostros omnes de Regno nostro, tam Clericos quam Laicos, quantum ad se pertinet observent *erga suos*.

LXXXV. CUM autem pro Deo & ad Emendationem Regni nostri, & ad melius sopiendam Discordiam inter Nos & Barones nostros ortam, hæc omnia prædicta concesserimus, ea volentes firma & integra stabilitate, in perpetuum gaudere facimus, & concedimus eis Securitatem subscriptam, *viz.* quod Barones eligant viginti quinque Barones de Regno, quos voluerint, qui debeant pro totis viribus suis observare, tenere, & facere observari Pacem & Libertates quas ei concessimus, & hæc præsentī Carta nostra confirmavimus; ita scilicet, quod si Nos vel Justitiarius vel Ballivi nostri, vel aliquis de Ministris nostris in aliquo erga aliquem deliquerimus, vel aliquem Articulorum Pacis, aut securitatis transgressi fuerimus, & delictum fuerit ostensum, quatuor Baronibus de prædictis viginti quinque Baronibus; illi quatuor Barones accedant ad Nos vel ad Justitiarium nostrum, proponentes Nobis excessum, & petent ut excessum illum sine dilatione faciamus emendari; & si Nos excessum non emendaverimus, vel si fuerimus extra Regnum, Justitiarius noster non emendaverit infra tempus quadraginta dierum, computandorum a Tempore quo monstratum fuerit Nobis vel Justituario nostro, si extra Regnum fuerimus, prædicti quatuor Barones referent causam illam ad Residuos de illis Viginti quinque Baronibus, & illi viginti quinque Barones cum *Communia* totius Terræ distringent & gravabunt Nos modis omnibus quibus poterant, scilicet per Captionem Castrorum, Terrarum, possessionum & aliis modis quibus poterunt, donec fuerit emendatum, secundum Arbitrium eorum, *salva Persona nostra & Regina nostra & Liberatorum nostrorum*; & cum fuerit emendatum, intendant Nobis sicut prius fecerunt.

Note, this Clause is in Mat. Paris, p. 251. immediately after the Charter of Forests.

LXXXVI. ET quicumque voluerit de Terra, Juret quod ad *Placita* omnia prædicta exequenda, parebit mandatis prædictorum Viginti quinque Baronum; & quod gravabit Nos pro posse suo cum ipsis, & Nos publice & libere damus Licentiam jurandi cuilibet qui jurare voluerit, & nulli unquam jurare prohibemus.

And this.

LXXXVII. OMNES autem illos de Terra, qui per se & sponte sua voluerint Jurare prædictis Viginti quinque Baronibus de distrin-

And this.

Append.

[E]

gendo

gendo & gravando Nos, cum eis faciemus Jurare eosdem de mandato nostro, sicut prædictum est.

*But not this
is wanting.*

LXXXVIII. ET si Aliquis de prædictis Viginti quinque Baronibus decesserit, vel a Terra recesserit, vel aliquo alio modo impeditus fuerit, quo minus ista prædicta posset exequi, qui residui fuerint de prædictis viginti quinque Baronibus, eligant alium loco ipsius pro arbitrio suo, qui simili modo erit Juratus, quo & cæteri.

*This follows
the last but one
in M. P.
* Deest in S.*

LXXXIX. IN omnibus autem, quæ istis Viginti quinque Baronibus committantur exequenda, si forte ipsi Viginti quinque * *Barones* Præsentes fuerint, & inter se super re aliqua discordiaverint, vel aliqui ex eis summoniti, nolint vel nequeant interesse, ratum habeatur & firmum, quod major pars eorum qui præsentes fuerint, providerint vel præceperint; ac si omnes Viginti quinque Barones in hæc consensissent, & prædicti Viginti quinque jurent, quod omnia antedicta fideliter observabunt, & pro toto posse suo faciant observari.

As also this.

XC. ET Nos nichil impetrabimus ab Aliquo per Nos nec per alium, per quod aliqua istarum Concessionum & Libertatum revocetur vel minuatur, vel si aliquid tale imperatum fuerit, irritum sit, & inane, & nunquam eo utemur, per Nos nec per alium, & omnes malas Voluntates, Indignationes, & Rancores ortos inter Nos & homines nostros Clericos vel Laicos tempore Discordiæ plene omnibus remisimus & condonavimus.

XCI. PRÆTEREA omnes Transgressionem factas occasione ejusdem Discordiæ a Pascha anno Regni nostri sexto decimo usque ad Pacem reformatam, plene remisimus omnibus Clericis & Laicis, & quantum ad nos pertinet, plene condonavimus: & insuper fecimus eis fieri Literas Testimoniales patentes Domini *Stephani Cantuar.* Archiepiscopi, *Henrici Dublin.* Archiepiscopi, & Episcoporum prædictorum, & Magistris *Pandulfi*, super securitate ista & Concessionibus præfatis.

XCII. QUARE volumus & firmiter præcipimus quod *Anglicana* Ecclesia libera sit, & quod homines in Regno nostro habeant & teneant omnes præfatas Libertates, Jura & Concessionem omnes bene & in Pace, libere & quiete, plene & integre, sibi & hæredibus suis, de Nobis & hæredibus nostris in omnibus rebus & locis in perpetuum, sicut prædictum est.

XCIII. JURATUM est autem, tam ex parte Nostra, quam ex parte Baronum, quod hæc omnia supradicta bona fide & sine malo Ingenio observabuntur.

*|| In S. Run-
ningmede.*

TESTIBUS supradictis, & multis aliis datum per manum Nostram in Prato quod vocatur || *Runnmede* inter Windefore & Stane, 15^o die Junii, Anno Regni nostri septimo Decimo.

AD finem harum Cartarum apparent foramina ubi Labella quibus Sigilla affigebantur fuerant apposita, sed quæ modo avulsa sunt.

IN Carta Cotton. ad finem scriptum reperitur, eadem manu qua Carta ipsa exarata est: in hæc verba deleantur per eosdem. [Ita quod Nos hoc sciamus prius vel Justitia. noster, si Nos in Anglia non fuimus, eundem respectum habebimus, & eodem modo de Justitia exhibenda de Forestis deforestandis, vel remansuris Forestis.]

EXAMINATUR per nos

Thom. Jenkinson.

George Holmes.

THIS Original of King John having lain hid for this last Age, in the Cottonian Library, was accidentally discover'd by the abovemention'd Mr. George Holmes, Deputy to William Petyt, Esq; Keeper of the Records in the Tower of London, and is extant in that Library, sub Effig. AUGUSTI. A. 2. f. penult.

King

*King John's Charter of Forests, as it is to be found
in Matt. Paris, Fol. 259. N. 40. divided into
Articles or Chapters.*

JOHANNES Dei Gratia, Rex Angliæ, &c. Sciatis quod intuitu Dei & pro salute animæ nostræ & animarum antecessorum & successorum, ad exaltationem Sanctæ Ecclesiæ, & emendationem Regni nostri; spontanea & bona voluntate nostra dedimus, & concessimus pro Nobis & hæredibus nostris, has libertates subscriptas, habendas & tenendas in regno nostro Angliæ in perpetuum.

I. IN primis omnes Forestæ quas Rex *Henricus* avus noster afforestavit, videantur per probos & legales homines; & si Boscum aliquem alium quam suum Dominicum, afforestaverit ad damnum illius cujus boscus fuerit, statim deafforestetur. Et si boscum suum proprium afforestaverit, remaneat Foresta, salva *Communia* de herbagio & rebus aliis in eadem Foresta, illis qui eam prius habere consueverunt.

II. HOMINES qui manent extra Forestam, non veniant de cætero coram Justiciariis nostris de Foresta, per communes submonitiones; nisi sint in Placito, vel Plegii alicujus vel aliquorum qui attachati sunt propter Forestam: Omnes autem bosci qui fuerunt afforestati per Regem *Richardum* fratrem nostrum, statim deafforestentur; nisi fuerint Dominici bosci nostri.

III. ARCHIEPISCOPI, Episcopi, Abbates, Priores, Comites, Barones, Milites, & Libere Tenentes, qui boscos habent in Foresta, habeant boscos suos sicut eos habuerunt tempore primæ Coronationis prædicti Regis *Henrici* avi nostri; ita quod quieti sint in perpetuum de omnibus Purpresturis, Vastis & Assartis factis in illis boscis post illud tempus, usque ad principium secundi anni coronationis nostræ. Et qui de cætero Vastum, Purpresturam, vel Assartum facient sine licentia nostra in illis boscis, de Vastis, Purpresturis, & Assartis respondeant.

IV. REGARDATORES nostri eant per Forestas, ad faciendum regardum, sicut fieri consuevit tempore primæ Coronationis prædicti Regis *Henrici* avi nostri, & non aliter.

V. INQUISITIO vel visus de expeditatione canum existentium in Foresta de cætero fiat, quando fieri debet REGARDUM; scilicet de tertio anno in tertium annum; & tunc fiat per visum & testimonium legalium hominum, & non aliter. Et ille cujus canis inventus fuerit tunc non expeditatus, pro misericordia det tres sólidos; & de cætero nullus bos capiatur pro expeditatione. Talis autem expeditatio sit per Assisam communiter, quod tres ortelli abscindantur de pede anteriori sine poleta. Non expeditentur canes de cætero, nisi in locis ubi expeditari solent tempore primæ Coronationis prædicti *Henrici* Regis avi nostri.

VI. NULLUS Forestarius vel Bedellus, faciat de cætero * *Scotal* * i. e. taking Ale to excuse the Offender, vel colligat garbas, vel avenam, vel bladum aliud, vel agnos, vel porcellos, nec aliquam collectam faciat; & per visum & sacramentum duodecim

duodecim Regardatorum, quando facient regardum, tot Forestarii ponantur ad Forestas custodiendas, quot ad illas Custodienas, rationabiliter viderint sufficere.

VII. NULLUM Suanimotum de cætero teneatur in regno nostro, nisi ter in anno; videlicet in principio quindecim dierum ante festum *Sancti Michaelis*, quando Agistatores veniunt ad Agistandum Dominicos boscos, & circa festum *Sancti Martini* quando Agistatores nostri debent accipere panagium suum. Et ad ista duo Suanimota, convenient Forestarii, Viridarii, & Agistatores; & nullus alius per districtiorem. Et tertium Suanimotum teneatur in initio XV dierum ante festum *Sancti Johannis Baptista* pro *fenatione* bestiarum nostrarum; & ad istum Suanimotum convenient Forestarii, Viridarii, & non alii per districtiorem.

VIII. ET præterea singulis quadraginta diebus, per totum annum convenient Viridarii & Forestarii ad videndum Attachiamenta de Foresta tam *de Viridi* quam de *Venatione*, per præsentationem ipsorum Forestariorum, & coram ipsis attachientur: Prædicta autem Suanimota non teneantur, nisi in Comitatus in quibus teneri consueverunt.

IX. UNUSQUISQUE liber homo agistet boscum suum in Foresta pro voluntate sua, & habeat pannagium suum.

X. CONCEDIMUS etiam quod unusquisque liber Homo possit ducere porcos suos per Dominicum boscum nostrum, libere & sine impedimento; & ad Agistandum eos in boscis suis propriis, vel alibi ubi voluerit. Et si porci alicujus liberi hominis una nocte pernoctaverint in Foresta nostra, non inde occasionetur, ita quod aliquid de suo perdat.

XI. NULLUS de cætero amittat vitam vel membra pro Venatione nostra; sed si aliquis captus fuerit & convictus de captione Venationis, graviter redimatur, si habeat unde redimi possit; & si non unde redimi possit, jaceat in prisione nostra per annum unum & unum diem. Et si post annum unum & unum diem Plegios invenire possit, exeat à prisione; sin autem, abjuret regnum nostrum *Anglie*.

XII. QUICUNQUE Archiepiscopus, Episcopus, Comes vel Baro veniens ad Nos per mandatum nostrum, transferit per Forestam nostram, licet illi capere unam vel duas bestias per visum *Forestarii* si præsens fuerit; sin autem, faciat cornari, nè videatur hoc furtive facere: Item licet in redeundo idem eis facere, sicut prædictum est.

XIII. UNUSQUISQUE liber homo de cætero sine occasione, faciat in bosco suo vel in terra sua, quam habeat in Foresta molendum, vivarium stagnum, marleram, fossatum vel terram arabilem, extra coopertum in terra arabili, ita quod non sit ad nocumentum alicujus Vicini.

XIV. UNUSQUISQUE liber homo habeat in boscis suis *Ærias* Accipitrum, Spervariorum, Falconum, Aquilarum & Heironum; & habeant similiter mel quod inventum fuerit in boscis suis.

XV. NULLUS Forestarius de cætero, qui non sit Forestarius de feudo, reddens firmam Nobis pro balliva sua, capiat Cheminagium, scilicet pro careta per dimidium annum, duos denarios; & per alium dimidium annum, duos denarios; & pro Equo, qui portat summagium, per dimidium annum, unum obolum; & per alium dimidium annum, unum obolum; & non nisi de illis, qui extra ballivam suam tanquam mercatores veniunt, per licentiam
| suam

suam in Ballivam suam, ad buscā, meiremium, corticem, vel carbonem emendum, & alias ducendum ad vendendum ubi voluerint. Et de nulla caretā alia, vel summagio, aliquod Cheminagium capiat; non capiat cheminagium, nisi in locis illis, ubi antiquitus capi solebat & debuit: Illi autem qui portant super dorsum suum, buscā, corticem vel carbonem ad vendendum, quamvis inde vivant, nullum de cetero dent Cheminagium de boscis aliorum; nullum detur Cheminagium Forestariis nostris præterquam de Dominicis boscis nostris.

XVI. OMNES Utlagati pro Foresta a tempore Regis *Henrici* Avi nostri, usque ad primam Coronationem nostram, veniant ad pacem sine impedimento & salvos plegios inveniant, quod de cetero non forisfacient nobis de Foresta nostra.

XVII. NULLUS Castellanus vel alius teneat Placitum de Foresta sive de Viridi sive de Venatione; sed quilibet Forestarius de feudo attachiat Placita de foresta, tam de Viridi quam de Venatione, & ea præsentet Viridariis Provinciarum; & cum rotulata fuerint, & sub sigillis Viridariorum inclusa, præsententur capitali Forestario, cum in partes illas venerit ad tenendum placita forestæ, & Corona, eo terminentur.

XVIII. OMNES autem Consuetudines prædictas & Libertates, quas Nos concessimus in Regno tenendas, quantum ad Nos pertinet erga nostros, omnes de Regno nostro, tam Laici quam Clerici observent, quantum ad se pertinet erga suos.

NULLA invenitur Charta originalis Charta de Foresta Regis *Johan.* nec aliud exemplar antiquius anno primo Regis *Henrici III.*

Rot. Cart. 5^o. Johannis M. 5. N^o. 33.

N. 7.

Carta Dominae Reginae de Dote sua.

JOHANNES Dei Gratia, &c. Sciatis Nos dedisse, concessisse, & præsentī Carta nostra confirmasse Dilectæ Uxori nostræ *Isabellæ*, eadem gratia Reginae *Angliæ*, &c. Quæ in *Angliæ de Comuni Assensu & Concordi voluntate* Archiepiscoporum, Episcoporum, Comitum, Baronum, Cleri & Populi totius Regni in Regina *Angliæ* est Coronata, Dominia subscripta in Dotem. scilicet in *Devonia* Civitatem *Exon.* cum feria ejusdem Civitatis; *Lestag.* & *Stallag.* & *Lifftoniam* quam *Willielmus de Gatesden* & *Agatha* uxor sua tenebunt tota vita sua, respondendo de Servitio illius terræ dictæ Reginae, post quorum mortem revertetur terra illa in Dominicum ejusdem Reginae: Et præterea *Kentonam* & *Aibricheston* & *Wike* in *Samerfet*, *Iveleestre* in *Wiltesir.* *Wilton.* *Maumeshir.* *Betesdun.* quam *Henricus de Bernavall* tenet, qui respondebit eidem Reginae de Servitio ejusdem terræ; & *Wilteslawe*, in *Suffex*, Civitatem *Cycester.* Salva tenura *Simon Cicestr.* Electi, de tota illa Civitate cum pertin. per antiquam firmam, sicut in Carta nostra quam modo habet continetur. In *London.* *Hatham* Reginae. In *Essex* Villam de *Waltham*, quam Abbas & Canonici de *Waltham* tenent ad firmam. In *Hertfordshire* Honorem de *Berkehamestud*, cum

Append.

[F]

omnibus

* i.e. Alconora.

omnibus pertinentiis suis, tam in dominicis quam feodis. Et præterea Comitatum de *Roteland*, & villam de *Rokingham*. Et in *Norman. Faleis* & *Danfront*, cum pertinet Bonamvillam super *Tokam*: & præterea omnia alia quæ dilectæ Matri nostræ * *A. Regina Angl.* in dotem fuerunt assignata, tam citra mare quam ultra: & siquid inde fuerit subtractum vel ablatum per *Werram* vel aliter, volumus quod ei competens & sufficiens inde fiat escambium in *Angl.* sine contradictione, vel aliqua diminutione. Quare volumus & firmiter præcipimus quod prædicta *J. Regina* Uxor nostra in Regno *Angl.* tam solempniter, ut prædictum est, in Regnam *Angl.* coronata, habeat & teneat tota ultra sua omnia prædicta, cum omnibus pertinentiis suis, Libertatibus, & liberis Consuetudinibus, adeo bene & in pace, libere & quiete, integre & plenarie, sicut aliquis prædecessorum nostrorum Regum *Anglie* vel Nos unquam melius, plenius, & liberior habuimus, ea in manu nostra. Prohibemus etiam ne quis Justiciarius, Vicecomes, vel Forestarius, vel aliquis alius Ballivus, exceptis Ballivis ipsius Regine in prædictam manum mittant, vel de aliquo se inde intromittat, nisi de voluntate & Assensu ipsius Regine. Si vero magis in augmentum dotis dictæ Regine uxoris nostræ, de Concilio fidelium nostrorum assignaverimus, volumus, & firmiter præcipimus quod illud integre habeat, & plenarie teneat tota vita sua per easdem Libertates & Immunitates per quas alia præscripta ei concessimus. Testibus Dominis *P. Dunelm.* & *H. Sar.* Episcopis, Fratre *Eymérico* Magistro Milir. Templi in *Anglia*, *G. filio Petri* Com. *Essex* titulo Justici. *Angl.* Com. *Rog. le Bigot*, *W. Com. Arundel.* *A. de Veer* Com. *Oxon.* *Henrico de Bohun*, Com. *Heref.* *W. de Braos*, *Rob. fil. Rogeri*, *Will. Brimer*, *Hug. de Nevill*, *Roberto de Trasgox*, *Roberto de Veteriponte*, *Stephani de Thurnham*. Dat. per manum *S. Cicestr.* Electi apud *Porcest.* v^o die Maii, Anno Regni nostri v^o. Ad maiorem autem Securitatem, & majus hujus facti testimonium, Subscripti tam Ordinati in verbo veritatis, quam Laici Juramento corporali præstito, omnia prædicta fideliter & firmiter observanda pro posse suo concesserunt, & Sigillorum suorum appositione roboraverunt; scil. Dominus ——— & Domini *Dunelm.* & *Sar.* Episcopi prænominati, *G. fil. Petri* Com. *Essex*, Com. *R. le Bigot*, *W. Com. Arundell*, *A. de Veer* Com. *Oxon.* *H. de Bohun* Com. de *Heref.* *Will. de Braos*, *Rob. fil. Rog. W. Brimer*, *Hug. de Nevill*, *G. Winton.* Episc. *S. Bathon.* Episcopus, *Rob. de Trasgox*, *Rob. de Veteriponti*, *Steph. de Turnham*.

Rot. Claus. 1. H. 3. m. 10. dorso.

N. 8.

REX Vicecom. *Wigorn.* Salutem; præcipimus tibi quod die & loco Comitatus tuo legi facias, Cartas Libertatum quas Baronibus & omnibus aliis de Regno nostro, per Commune Concilium Regni nostri concessimus, & quam Dominus Legatus Sigillo suo confirmavit, & Libertates in Cartâ ipsâ contentas, omnibus fidelibus nostris, firmiter facias observari in Balliva tua. Quia vero nondum sigillum habuimus, easdem in processu Temporis de majori Concilio proprio sigillo signaturi, Teste * *Comite* apud *Certeſy* xxiii die Junii.

* i.e. Guil. Comes Pembroc.

Hic

Hic est finis & concordia facta inter Henricum Regem Angliæ, & Dominum Lodovicum Primogenitum filium Philippi Regis Franciæ; sub hac forma.

N. 9.

An. Chr. 1217.
ex Chartul. S.
Egidii, apud
Pontem Au-
domaria eruit
D. d' Herou-
val.

XXIV. NOTUM sit tam presentibus, quam futuris, quod hæc est forma patris facta inter Dominum Regem Angliæ illustrem & Dominum Lodovicum, Domini Regis Franciæ Primogenitum: In primis quid omnes Homines & Imprisi domini Lodovici, & Coadjutores sui Angliæ, & alii qui terram tenuerunt in principio Guerre in Regno Angliæ, habeant terras suas & salsinas suas, quas habuerunt in initia guerra, & rectas consuetudines & Libertates Regni Angliæ; & si emendationes inde facta fuerint, communes sint tam illis quam aliis.

* i. e. Par-
takers.

ITEM dominus H. Rex Angliæ & omnes homines & Imprisi sui, qui terram tenuerunt in initio guerre in Regno Angliæ.

ITEM Civitas Londaniensis, & omnes alie Civitates & Burgen-
ses habeant suas rectas consuetudines & libertates.

ITEM omnes Prisones qui capti fuerunt ex utraque parte, postquam dominus Lodovicus applicavit in Angliæ, deliberentur; De aliis vero qui capti fuerunt ante primum ejus adventum in Angliæ, sic erit, quod Consilium Domini Regis Angliæ eligeret tres de Consilio Domini Lodovici, per quorum sacramentum fiat inquisitio, qui fuerint Homines vel Imprisi domini Lodovici die quo capti fuerint, & per sacramentum predictorum deliberentur.

ITEM de omnibus Prisonibus sic erit, quod omne quod solutum est de redemptionibus illorum solutum sit; & id quod solutum non est, unde termini transierunt, solvatur, & redemptionum residuum quietum sit; & si contentio fiat, & dicatur quod termini de redemptionibus Prisonum præteriti sint, Consilium domini Lodovici eligeret tres de Consilio domini Regis Angliæ, per quorum sacramentum declarentur; si termini de redemptionibus transierunt necne. Et si a die Martis proxima ante festum Exaltationis sanctæ Crucis, aliqua destructio fieret prisonibus, de solutione redemptionum facienda, inde quieti sint omnes Prisones & alii de Regno Angliæ, qui contra dominum Regem Johannem quondam Regem Angliæ fuerint, faciant per homagium securitatem Domino H. Regi Angliæ secundum Legem ad consuetudinem Regni Angliæ, & per sacramenta & Cartas suas.

ITEM, dominus Lodovicus reddet omnes obsides illis, a quibus eos habuit, qui traditi fuerint pro pecunia, unde termini transierunt, soluta pecunia liberabit.

ITEM, reddentur domino H. Regi Angliæ & suis, omnes civitates, Burgos, & castra & terras quæ occupatæ sunt per Guerram istam in quocunque loco Regni Angliæ sint.

ITEM, de Insulis sic fiet, Dominus Lodovicus mittet litteras suas patentes fratribus Eustachii Monachi, præcipiens quod illas reddant domino H. Regi Angliæ; & nisi illas reddiderint, distringent illos dominus L. pro legale posse suo per feoda, & per terras eorum, quæ de

de feodo suo movent ad illas reddendas, & si hæc facere noluerint, sint extra pacem istam, De Rege *Scotorum* sic fiat, Dominus L. mandet eis formam pacis factæ inter dominum Regem *Anglia* & ipsum, & quod si noluerint esse in pace illa, reddant domino Regi *Anglia* omnia Castra & Prisones, & terras quas occupavit occasione hujus guerra: Idem faciet dominus Rex *Anglia* dicto Regi *Scotorum*; Eodem modo mandabit dominus prædictus, D. *Lewellino* & aliis *Wal-*
*len*sibus.

ITEM, dominus L. adquietabit omnes Barones & homines de Regno *Anglia* ab omnibus homagiis, fidelitatibus, confederationibus & imprisiis; & de cætero nullam inibit confederationem, unde malum vel damnum possit aliquo tempore evenire domino H. Regi *Anglia*, vel heredibus suis de Regno *Anglia* occasione hujus guerra. Idem facient Barones *Anglia* domino *Henrico* Regi *Anglia*, quod nullam facient prædicto Domino L. vel alicui alii confederationem, homagium, fidelitatem vel imprisiam contra dominum suum H. Regem *Anglia* vel heredes suos.

ITEM, dominus L. faciet Juramentum Corporale, & sui cum eo & Cartas suas facient singuli, quos Consilium Domini Regis voluerit, quod pacem præscriptam firmiter & fideliter tenebunt. Ad impetrandum super hoc confirmationem Domini Papæ & Domini Legati apponet Legale posse suum per preces.

ITEM, de debitis, sic fiat, quod omnia debita quæ debentur domino L. unde termini transierunt, ei reddantur.

ITEM, notandum est quod in primo capitulo ubi legitur, de Imprisiis domini L. intelligitur de Laicis tantum; Clerici tamen *Anglici*, qui laica feoda habuerunt, habeant terras & salfinas suas, quas habuerunt in initio guerra.

UT omnia prædicta perpetuam obtineant firmitatem, dominus *Gualterius* Tituli sancti *Martini* Presbyter Cardinalis Apostolicæ sedis Legatus; dominus H. Rex *Anglia*, *Willielmus* Mareschallus Comes *Penbroc*, *H. de Burgo* Justitiarius *Anglia*, R. Comes de *Cestria*, *Willielmus* Comes *Saresberii*, *Willielmus* Comes de *Warene*, *Willielmus* Comes de *Aronde*, *Willielmus* *Aubenii*, *Willielmus* *Briwere*, *Willielmus* Mareschallus juvenis, *Falcasus* de *Breante*, R. de *Mortuo-mari*, L. de *Erdivert*, R. de *Veteri-Ponte*, *Gaufridus* de *Nova-villa*, R. de *Insula*, *Philippus* de *Aubinie*, * R. filius Regis, Huic scripto sigilla sua apposuerunt.

* i. e. Richardus.

DATUM apud *Lamech* Anno ab Incarnatione Domini MCCXVII. die Septembris, Anno D. *Henrici* Regis *Anglia* tertii primo.

At

A Charter of King Henry the Third, in the old English of that Time, enforcing the late Provisions of Oxon.

Rot. Pat. 43. H. 3. m. 15. n^o 40.

* **H**ENRY thurg Godes sultome King on Engleneloande Lhoauerd on Yrloand Duk on Normand. on Acquitain and Eorl on Anjou, send I, greting to alle hise holde ilærde and ilewede on Huntindonn-schiere; that witen ge wel, alle that we willen and unnen, that ure rædesmen alle other the moare del of heom, that beoth ichosen thurg us and thurg that Loandes Folk on ure Kuneriche habbeth idon, and schullen don in the worthnes of Gode, and ure treowthe for the freme of the Loande, thurg the besigte of than to foren iseide rædesmen beo stedefast and ilestinde in alle thinge abutan ænde, and the heaten alle ure treowe in the treowthe thet heo us ogen, thet heo stede-festliche healden and weren to healden and to swerien the isetnesses that beon makede and beon to makien thurg than to foren iseide rædesmen, other thurg the moare dæl of heom alswo, also that is beforen iseid. And that æthcother helpe that for to done biþham ilche oþher agenes alle men [*paucula quedam hic deesse videntur, hæc scilicet aut similia*: in alle thinge that) ogt for to done and to foangen. And noan ne mine of Loande ne of egetewher thurg this besigte muge beon ilet other iwerfed on oniewise. And gif oni ether onie cumen her ongenes we willen and heaten, that alle ure treowe heom healden deadlichstan. And for that we willen thet this beo stedefast and lestinde, we senden gew this Writ open iseined with ure Seel to halden amanges gew ine Hord. Witnes us seluen at Lundanthane egretenthe day on the Monthe of Octobr, in the two and fowertigthe geare of ure crunninge. And thir wes idon ætforen ure isworen rædesmen, Bonifac. Archebischoþ on Kanterbur. Walter of Cantelop, Bischoþ of Wirecheſter, Sim. of Montfort Eorl on Leicheſtre, Rich. of Clare Eorl on Glocheſter and on Hartford; Roger Bigod Eorl on Northfolk and Mareſcal on Engleloand, Perres of Sauueye, Will. of Fort Eorl on Aubem, John de Plesſe Eorl on Warwik, Joh. Gefferees-sube Perres of Muntfort, Rich. of Grey, Rog. of Mortemer, Iames of Aldithel, and ætforen oþhre moge.

AND all on tho ilche worden is isend into aurichte oþhre Schire ouer al thare Kuneriche on Engleneloande and ek intel Irelande.

Append.

[G]

The

*The same in Modern English, translated by
Mr. Somner.*

* Unnen.

† Loundes-
folke signi-
fies the Com-
mon People,
called by us
Folk at this
day. Vid. Dr.
Brady's Com.
Hist. p. 68.

|| Freine.

* Hord.

HENRY by God's help, King of England, Lord of Ireland, Duke of Normandy, and of Aquitain, and Earl of Anjou, Greeting to all his faithful Clerks and Laics of *Huntingdon-shire*: This know ye all well, that we Will and * *Grant*, that which our Counsellors all, or the most part of them that be chosen by us, and the † People (or *Commons*) of our Land, have done, and shall do, for the Honour of God, and of their Allegiance to us, for the || Benefit (or Amendment) of the Land, by the Advice or Consideration of our foresaid Counsellors, be stedfast and perform'd in every thing for ever. And we Command all our Liege People in the Fealty that they owe us, that they stedfastly hold, and swear to hold [or keep] and to defend [or maintain] the Statutes [or Provisions] which be made, and shall be made, by those aforesaid Counsellors, or by the more part of them, also as it is before said; and that they each other assist the same to perform, according to that same Oath, against all Men, both for to do, and cause to be done: And none neither of my Land, neither from elsewhere may for this be hindered, or damnified in any wise: and if any Man or Woman oppose them against, we Will and Command that all our Liege People them hold for deadly Enemies; and because we will, that this be stedfast and lasting, we send you this Writ open, signed with your Seal to be kept amongst you in * *Store*; witness our self at *London* the 18th day of the Month of *October*, in the two and fortieth Year of our Coronation; and this was done before our sworn Counsellors, *Boniface* Archbishop of *Canterbury*, *Walter* of *Cantelow* Bishop of *Worcester*, *Simon* *Montfort* Earl of *Leicester*, *Richard* of *Clare* Earl of *Glocester* and of *Hartford*, *Roger* *Bigot* Earl of *Norfolk* and *Mareschal* of *England*, *Peter* of *Savoy*, *William* of *Fore* Earl of *Aubemarle*, *John* of *Plesseiz* Earl of *Warwick*, *John* *Gefferisson*, *Peter* of *Montfort*, *Richard* of *Grey*, *Roger* of *Mortimer*, *James* of *Aldishly*, and before others moe.

AND all in these same words is sent into every other Shire over the Kingdom of *England*, and also into *Ireland*.

*

Traite

Traite entre le Roy saint Louis & Henry Royd' Angleterre pour les terres, qu'il tenoit & pre-tendoit en France, data Londres, en Octobre 1259.

N. II.
Ex Bibliotheca
Guelfbythana,
edit. per
virum Clar.
G. Leibniti-
um in Cod.
Diplomatico;
p. 22.

HENRY par la grace de Dieu Royd' *Angleterre*, sire d' *Irelande*, Ducd' *Aquitanie*, Nous faisons à scavoir à tous ceux qui sont, & qui a venir sont, que Nous par la volonté de Dieu avec nostre tres cher Cousin le Noble Roy *Louis de France*, avons paix faicte et affermeé en cette maniere, c'est assavoir, qu'il donné a Nous, nos Heirs et nos Successeurs toute la Droicteure, qu'il avoit & tenoit en ces trois Evechez & ces Citez ce'st assavoir de *Limoges de Cahors* & de *Perigort* en fiefs, & en domaines, sauf l'hommage de ses freres, se ils aucune chose y tiennent, dont ils soient si hommes, et sauves les choses qu'il ne peut mettre hors de sa main par lettres de luy, ou deses Anceffeurs, les quelles choses il doit pourchasser en bonne foy vers ceux, qui ces choses tiennent, que nous les ayons dedans la *Toussaincts* en un an, ou faire nous eschange convenable a l'egard de preud' hommes, qui soient nommez d'une part et d'autre, le plus convenable au prouffit des deux Parties.

2. §. ET encores lydevant dit Roy de *France* nous donnera la vallue de la Terre des *Agenois* en deniers chacun an, selon ce qu'elle sera preisée a droicte value de Terre des preud' hommes, nommez d'une part & d'autre, & sera faite la paye a *Paris* au Temple chacun An, à la quinzaine de *Ascension*, la moictis, & a la quinzaine de la *Toussaincts* l'autre : Et s'il advenoit, que cette terre s'echoit de la Comtesse *Jeanne de Poitiers* au Roy de *France*, ou à ses heirs, il seroit tenu ou ses heirs de rendre à nous ou a nos hoirs ; & rendue la terre, s'il seroit quiete de la ferme & elle venoit à autre, que au Roy de *France*, ou a se heirs, il nous donroit le fief d' *Agenois*, avec la ferme devant dicte & si elle venoit en Domaine a Nous, Le Roy de *France* ne seroit pas tenu de rendre celle, et s'il est vit esgarde par la cour du Roy de *France*, que pour la terre d' *Agenois* avoir, deussions mettre ou rendre aucuns deniers par raison degaigerie ly Roy de *France* rendroit ses deniers, ou nous tendrions & aurions la femme, tant que nous eussions eu ce que nous aurions mis pour celle Gaigerie.

3. §. DE rechef il sera enquis en bonne foy & de plain à nostre requeste per preud'hommes d'une partie & d'autre a ce esleus, si la terre, que le Cuent de *Poitiers* tient en *Caorsin* de part sa femme, fut du Roy d'Angeterre donnée ou baillée avec la Terre d' *Agenois* par mariage, ou par Gaigerie, ou route, ou en partie, a sa Soeur, qui fut Mere le Comte *Raymond de Thoulouze*, dernièrement mort, & s'il estoit trouve qu'il eust ainsyeste, à celle terre luy eschozit ou a ses heirs, du deceds dela Contesse de *Poitiers*, illa donneroit a Nous, ou à nos hoirs, & se il elle eschoit a autre, & il est trouvé par telle Inqueste toutes voyes quelle eust esté ainsy donnée ou baillée ainsy, comme, il est dict dessus apres le deceds, de la Comtesse de *Poitiers*,
il

il doneroit le Fief a nous & a nos hoirs, sauf l'Hommage, de ses Freres, s'ils, aucune chose y tenoient tant comme ils vivoient.

4. §. D E rechef apres le deceds de la Comtesse de *Poitiers* ly Roy de *France* donnera a nous & a nos heirs la Terre, que le Cuens de *Poitiers* tient ores en *Xantonge* outre Riviere de la *Charante* en Fief & en Domaine, si elle echoit au Roy de *France*, ou a ses heirs, & si elle ne luyechoit, il pourchasseroit en bonne maniere par Eschange ou autrement, que nous ou nos heirs l'ayons ou il nous feroit avenable Eschange a' l'esgard des Preud' hommes qui seront nommez d'une part & d'autre, et de ce, qu'il donra a nous & a nos heirs en Fief & en Domaine, Nous et nos heirs ly feront hommage lige, & a ses heirs Roys de *France*, & ausis de *Bourdeaux*, de *Bayonne* & de *Gascogne*, de toute la Terre, que nous tenons de la la Mer d' Angleterre en Fiefs & en Domaine, & des Isles, sy aucunes y en a, qui nous tenions, qui soient du Royaume de *France* & tiendrons de ly Comme Pair de *France* & Ducd' *Aquitainie*, & de toutes les choses devant dictes ly ferons nos Services avenables, jusques a tant, qu'il fut trouve quels services les choses deuroient, & lors nous serons tenus de faire les tielx, comme il seroit trouve; de l'Hommage de la Compté de *Bigorre* & *D'armignac* & de *Franfac*, soit ce que droit en fera, & ly Roys de *France* Nous clame quitte, se nous ou nostre Ancesteur luy fismes oncques tort de tenir son fief, sans lay faire Hommage & sans luy rendre son service & tous arrefages.

5. §. D E rechef le Roy de *France* nous donnera ce, que cinque cens Chevaliers deburoient couster raisonablement a tenir deux ans a' l'esgard des Preud' hommes, qui seront nommez d'une part & d'autre, & ces deniers sera tenu de payer a *Paris* au Temple a fix payes par deux ans, c'est a sçavoir a la Quinzaine de la *Chandeleur*, qui vient prochainement, la premiere paye, c'est a dire la sixiesme partie, & a la quinzaine de l'Ascension en suivant, l'autre paye, & a la quinzaine de la *Tous-saints*, l'autre, & ausy des autres payes en l'an ensuivant & de ce donnera ly Roy de *France* ses lettres pendant en Temple ou l'Hospital ou Ambedeux ensemble en Pleige, & nous ne debuons ces deniers despendre, si non que au service de Dieu & de l'Eglise, ou au profit du Royaume d' *Angleterre*, & ce par l'adveu des Preud' hommes de la terre esleus par le Roy d' *Angleterre* & les hauts hommes de la terre.

E T par cette Paix failans, avons quiere & quiterons de tout en tout & nostre dict Fils, au Roy de *France* & a ses Ancesteurs, & a ses hoirs, & a ses freres, & a leurs hoirs, & a leurs succesteurs pour nous ou pour nos hoirs & pour nos succesteurs, ou nostre Ancesteurs, aucune droiture que avons ou mesme eussions, oncques en chose, que le Roy de *France* tienne ou teinst oncques, ou ces Ancesteurs ou ses Freres, c'est assavoir en la Duché, et en toute la Terre de *Normandie*, en la Comté & toute la Terre d' *Anjou*, de *Tourraine* & de *Maine*, & en la Comté et toute la Terre de *Poitiers*, ou ailleurs en aucune partie du Royaume de *France*, ou ez Isles, se aucunes en tient le Roys de *France* ou sis Freres, ou autres de par eux & tous arrefages.

6. §. E T ausy avons quité & quitions nous & nostre dict Fils a tous ceux qui de par le Roy de *France*, ou de ses Ancesteurs, ou de ses Freres tiennent aucune chose par Don, par Eschange, ou par Vente, ou par Achapt, ou par Asensement, ou par autre semblable maniere

maniere en la Duché, & en toute la terre de *Normandie*, en la Comté, & en toute la terre d' *Anjou*, de *Tourraine*, & du *Mayne*, & en la Comté & en toute la Terre de *Poitiers* ou ailleurs en aucune partie du Royaume de *France*, ou ez Illis dessus dictes, sauf a nous, & a nous hoirs nostre droicteure ez terres, dont nous debuons faire homage lige au Roy de *France* par cette pais, comme il est dessus divisé; sauf, ce que nous peussions demander nostre droicteure, sy nous la cuidions avoir en *Aginois* & avoir la, si la Cour le Roy de *France* la Juge & aussy de *Caorsin*.

7. §. ET donrons au Roy de *France* les lettres, qu'on dict, qu'il a da Roy *Richard* nostre Frere, de quittance de rotes ces choses par eschange, qui en bt; & se pouvons ne les trouver ou avoir, donrons nos lettres pendans au Roy de *France*, & des Barons & des Prelates & des Prodes hommes qui y furent de tesmoignage de la quittance, que li Roy *Richard* en feit et avoit encor; a nostre serment & es nos lettres pendans, que puis cette quittance nulle droicteure, ne nous donnera en nulle de ces choses en cette mesme quittance au Roy de *France* & aux autres devant dits. Ferons fair a nostre Sueur la Comtesse de *Leycestre*, por soy por ses hoirs & des enfans de ceux, qui l'en requerra, & li Roy de *France* nous clamera aussi quitte, si il ou si Ancesteur li firent onques tort, de tenir son Fié sans li faire homage & sans li rendre Son service & tous arrerages. Et avons pardonné & quit l'un a l'autre, pardonnons & quittons tous maltalens de cograns & de Guerre & tous arrerages, & toutes Issues, qui ont este eues, ou qui purroient estre eues en toutes les choses devant dites & toutes les dommages & toutes mises, qui ont esté faicts ou faites deça & dela en Guerre & en autre maniere.

8. §. ET pource, que cette Paix fermement & aussy establement sans nulle enfrainance soit tenue a tousjours, ly Roys de *France* a faict jurer en son Ame par ses Procureurs especiaux a ce establis & ses deux Fils ont juré a tenir ces choses, tant comme a chacun appartiendra, & a ce tenir ont obligée eux & leurs hoirs par leurs lettres pendans; & nous de ces choses tenir, sommes tenus de donner seurete au Roy de *France* des Chevalliers des Terres devant dictes mesme, qui il donne, & des Villes, selon ce que il nous requerra: et la forme de la seurete des hommes et des Villes pour nous sera telle: Ils jureront que Ils ne donneront ne Conseil, force, ne ayde parquoy nous ou nostre hoir vinssions alencontre, et si advenoit (que Dieu ne venille) que nous ou nostre hoir vinssions al encontre & ne voulussions amender, puis que le Roy de *France*, ou ses hoirs Roys de *France* nous en auroient faicte, requerre chil qui la seurete avoit faicte, dedans les trois mois qu'ils en auroient fait requerre, seroient tenus d'estre aydans au Roy de *France* & a ses hois contre nous, & nos hoirs jusques a tant que cette chose fut amendée suffisamment a l'esgard de la Cour du Roy de *France*, & sera renouvellee cette seurete de dix ans en dix ans a la Requeste du Roy de *France* ou de ces hoirs Roys de *France* & nous: cette paix & cette composition entre nous & le devant dict Roy de *France* sera affermée & toutes les devant dictes choses & chacunes, sy comme elles sont dessus contenues, promettons en bonne foy pour nous successeurs au devant dict Roy de *France* & a ses hoirs & a ses successeurs loyamment & fermement garder, & que nous en contre ne viendrons par nous, ou par

autre en nulle maniere & que riens n'avons fait ne ferons, par
quoy les devant dites choses routes, ou acunes, en tout, ou en partie
ayent moins de fermeté.

9. 9. ET pour ce que cette paix fermement, establement & sans nul-
le enfrainction soit tenue à tous jours, à ce obligeons nous & nos hoirs
& avons fait jurer en nostre ame par nos Ppcurours, en nostre pre-
sence cette paix, sy comme elle & dessus devisée et escripte a tenir
en bonne foy tant comme a nous appartiendra, & que nous ne vien-
drons encontre ne par nous ne par autre. En tesmoing de routes ces
choses nous avons fait ces lettres au Roy de France pendans, scelez
de nostre scel; & cette paix et toutes ces choses, qui sont dessus con-
tenues, par nostre commandement especial ont juré *Edouard & Ed-
mond* nostre Fils en nostre presence a garder et tenir fermement, et
que ils encontre ne vendront par eux ne par autre: Ce fut donne à
London, Lundy prochain devant la feste saint *Luc* Evangeliste,
L'an de L'incarnation nostre Seigneur, Mil deux cens cinquante neuf,
au mois d'Octobre.

N. 11.

Ex Tomo 12.

Spicil. Luc.

Dacher. p. 388.

Erut ac de-

scriptit d'He-

ronval.

† i. e. S. Lu-

dovicus IX.

*Compromissum Regis Henrici ac Baronum Angliae,
in quo eligunt arbitrum omnium contentionum &
discordiarum Regem Francia Ludovicum;
Dictum, seu Sententia ejusdem Regis super Pre-*

LUDOVICUS Dei Gratia Francorum Rex, Universis pre-
sentes litteras inspecturis salutem. Notum facimus, quod
carissimus consanguineus noster *Henricus* illustris Rex *Ang-*
liae, & subscripti Barones *Angliae* in nos, compromiserunt, prout con-
tinetur in litteris eorum infra scriptis. Tenor autem litterarum ipsius
Regis talis est.

HENRICUS Dei Gratia Rex *Angliae*, Dominus *Hiberniae*, & Dux
Aquitaniae, omnibus ad quos presentes litterae pervenerint salutem:
Noveritis quod nos compromissimus in Dominum *Ludovicum* Regem
Francorum illustrem, super Provisionibus, Ordinationibus, Statutis &
Obligationibus omnibus *Oxonienfibus*, & super omnibus contentionibus
& discordiis, quas habemus & habuimus usque ad festum *Omnium*
Sanctorum nuper preteritum, adversus Barones Regni nostri, & ipsi
adversus nos, occasione Provisionum, Ordinationum, Statutorum vel
Obligationum *Oxonienfium* predictarum, Promittentes, & per dilectos
& fideles nostros *Willelmum* Beter militem & *Robertum* *Eulcanis* Cle-
ricum de mandato nostro speciali in animam nostram jurantes, tactis
sacro sanctis Evangelis, quod quicquid idem Rex *Francie* super om-
nibus predictis, vel eorum aliquibus de alio & basso ordinaverit, vel
statuerit, nos observabimus, bona fide, ita tamen quod idem domi-
nus Rex *Francie* dicat super his Dictum suum circa *Pentecostem* prox-
imo venturam.

* 11

IN

IN cujus rei testimonium presentibus litteris sigillum nostrum fecimus apponi.

NOS autem *Edwardus* predicti Domini Regis *Anglia* primogenitus, *Henricus* filius *Ricardi* Regis *Alemanie*, *Rogerus* Comes *Norff.* & *Marescallus Angliae*, *Johannes de Wexema*, *Willielmus de Valentia*, *Hunfredus de Bohun* Comes *Hereford* & *Essex*, *Hugo de Bigod*, *Philippus Basset*, *Johannes* filius *Alani*, *Robertus de Bruns*, *Rogerus de Mortuomari*, *Johannes de Verdon*, *Willielmus de Bevis*, *Johannes de Baliol*, *Henricus de Pessiz*, *Raginerius* filius *Petri*, *Jacobus de Alditel*, *Alanus La Zache*, *Rogerus de Clifford*, *Hamo Estracens*, *Johannes de Grey*, *Philippus Marmion*, *Robertus de Neville*, *Johannes de Vallibus*, *Johannes de Masferros*, *Waxinus de Bassingburn*, *Adam de Gefennich*, *Rogerus de Somery*, *Richardus Foliot*, *Rogerus de Leyburn*, & *Willielmus de Latimer*; predicto compromisso, per dictum Dominum nostrum Regem *Anglia* facto, sicut predictum est, consentimus, & juramus, tactis sacrosanctis Evangeliiis, quod quicquid dominus Rex *Francia* super omnibus predictis vel eorum aliquibus de alto & basso ordinaverit, vel statuerit, observabimus bona fide; ita tamen quod idem Dominus Rex *Francia* dicat super his Dictum suum citra *Pentecostem* proximo futuram, sicut superius est expressum.

IN cujus rei testimonium presenti scripto sigillo domini nostri predicti Regis *Angl.* signato, sigilla nostra fecimus apponi. Datum apud *Windsor* Dominica proxima post festum sanctae *Luciae* Virginis, anno Domini *MCCLXIII.* Litterae vero Baronum tales sunt.

UNIVERSIS presentes litteras inspecturis, *H. Londonensis*, &c. *W. Wigornensis* Episcopi, *S. de Montforti* Comes *Leystria* & *Senescallus Angliae*, *Hugo le Desp'.* & *Justitiarius Angliae*, *Hunfredus de Bohun* juvenis, *H. de Montforti* juvenis, *Adam de Novomercato*, *Petrus de Montforti*, *Radulfus Basset de Sapetot*, *Baldwinus Wake*, *Robertus de Boss*, *Willielmus de Bland*, *Willielmus Marescallus*, *Walterus de Coleville*, *Ricardus de Grey*, *Willielmus Badonf*, *Ricardus de Tamny*, *Henricus de Hasting*, *Johannes* filius *Johannis*, *Robertus de Veteriponte*, *Johannes de Vesey*, *Nicolaus de Segrave*, *Gulfridus de Lucy*, salutem in Domino: Noveritis quod nos compromissimus in dominum *Ludovicum* Regem *Franciae* illustrem, super Provisionibus, Ordinationibus, Statutis & Obligationibus omnibus *Oxonie*, & super omnibus contentionibus & discordiis quas habemus & habuimus usque ad festum omnium Sanctorum nuper praeteritum, adversus Dominum nostrum Regem *Angliae* illustrem, & ipse adversus nos, occasione Provisionum, Ordinationum, Statutorum, vel Obligationum *Oxonienfium* predictarum; firmiter promittentes & jurantes, tactis sacrosanctis Evangeliiis, quod quicquid idem Rex *Franciae* super omnibus predictis vel eorum aliquibus, de alto & basso, ordinaverit, vel statuerit, nos observabimus bona fide, ita tamen quod idem dominus Rex *Franciae* dicat super his Dictum suum citra *Pentecostem* proxima venturam.

ACTUM *London* die sanctae *Luciae* Virginis, Anno Domini millesimo, ducentesimo, sexagesimo tertio.

INSUPER predictus Rex *Angl.* & superius nominati, ex alia parte Barones, de omnibus contentionibus exortis inter eos post predictum festum usque in praeteritum diem sanctae *Ludae*, occasione praedicta, in nos compromiserunt & promiserunt per Juramenta, tactis sacrosanctis Evangeliiis, praestita, bona fide se servaturos quicquid statuerimus

tuerimus & ordinaverimus de his vel eorum aliquibus, ita tamen quod citra *Pentecostem* proximò venturam dicamus super his Dictum nostrum & super omnibus, quæ super Rebus in compromissum deductis, vel circa ipsius interim contingerit attemptari. Nos vero Patribus propter hoc convocatis *Ambiani*, dicto Rege personaliter & quibusdam de Baronibus per se, & aliis per Procuratores comparentibus coram nobis, auditis hinc inde propositis, & etiam defensionibus ac rationibus Patrium plenius intellectis, Attendentes per Provisiones, Statuta & Obligationes *Oxonienfes*, & per ea quæ ex eis & occasione eorum subsecuta sunt, juri & honori Regio plurimum fuisse detractum, Regni turbationem, Ecclesiarum depressionem, & depredationem, & aliis personis ipsius Regni Ecclesiasticis & secularibus, Indigenis, & Alienigenis gravissima dispendia provenisse; & quod verisimiliter timebatur ne graviora contingerent in futurum, *Communicato Baronum & Magnatum Consilio*.

Sententia Regis
Francia.

IN nomine Patris, & Filii, & *Spiritus Sancti*, prædictas Provisiones, Ordinationes, & Obligationes omnes quocunque modo censeantur, & quicquid ex eis vel occasione eorum subsecutum est, per Dictum nostrum seu Ordinationem nostram cassamus & irritamus, maxime cum appareat summum Pontificem eas per suas litteras cassas & irritas nunciasse; ordinantes quod tam dictus Rex quam Barones & alii quicunque præsentis compromisso consenserunt, & de prædictis observandis se quoquomodo astrinxerunt, se de eisdem quittent penitus & absolvant.

ADJICIMUS etiam, quod ex vi, seu viribus prædictarum Provisionum sive Obligationum, seu Ordinationum, vel alicujus rei super hoc concessæ potestatis à Rege, nullus nova statuta faciat, nec jam facta teneat vel observet, nec propter non observantiam prædictorum debeat aliquis alterius capitalis, vel aliter Inimicus haberi, vel poenam propter hoc aliquam sustinere. Decernimus etiam, quod omnes litteræ super præmissis Provisionibus & earum occasione concessæ, irritæ sint & inanes; & ordinamus, quod ipsi Regi *Anglia* restituantur à Baronibus & reddantur.

ITEM dicimus & ordinamus, quod castra quæcunque fuerint tradita custodienda ad securitatem, seu occasione prædictorum & adhuc sunt detenta, liberè à dictis Baronibus eidem Regi reddantur, tenenda ab eodem Rege, sicut ea tenebat ante tempus prædictarum Provisionum.

ITEM dicimus & ordinamus quod liberè liceat prædicto Regi, Capitaletum Justitiarium, Cancellarium, Thesaurarium Consiliarios, Justitiarios minores, Vicecomites, & quoscunque alios Officiales ac Ministeriales Regni sui ac domus suæ, præficere, instituere, destituere & amovere pro suo libito voluntatis, sicut faciebat & facere poterat ante tempus Provisionum prædictarum.

ITEM retractamus & cassamus illud statutum factum, quod Regnum *Anglia* de cætero per Indigenas gubernetur, nec non ut exirent Alienigenæ non reversuri, exceptis illis quorum moram Fideles Regni communiter acceptarent. Ordinantes per Dictum nostrum, quod liceat Alienigenis morari in dicto Regno securè ad concilium suum, quos viderit utiles & fideles, sicut facere poterat ante tempus prædictum.

ITEM dicimus & ordinamus, quod dictus Rex plenam potestatem & liberum regimen habeat in Regno suo & ejus pertinentiis, & sit

intendant, sed omnia que gravamen nostrum relinquant faciant, ac si in nullo nobis tenerentur, donec quod in hac parte transgressum fuerit seu commissum, cum satisfactione congrua in Statum debitum secundum prædictarum Ordinationis & Provisionis nostre seu Juramenti formam fuerit reformatum: quo facto, nobis sicut prius intendentes existant, & si aliquis alius de Regno nostro contra prædicta venire, seu Pacem & Tranquillitatem Regni nostri turbare præsumperit, seu Nobis vel *Edwardo* filio nostro, aut alicui alteri, contra prædicta vel aliquod prædictorum venientibus Opem, Consilium, Consensum, vel Auxilium quocumque modo præstiterit, si hoc notorium fuerit, aut de hoc per considerationem Consilii nostri & Magnatum Terræ nostre convictus fuerit, statutum est quod corpus ipsius si inventum fuerit, capiatur, alioquin a Regno nostro utlagetur, & si inventus fuerit, siue non, tam ipse, quam Heredes sui in perpetuo exheredentur, & de Terris & Tenementis eorum fiat, prout de Terris eorum qui de Felonia convicti sunt, secundum leges & consuetudines Regni nostri fieri consuevit, ad hæc de nostra Assensu & voluntate nostra & *Edwardi* filii nostri, Prelatorum, Comitum, Baronum, & Communitatis Regni nostri Concorditer provisum est, quod Cartæ antiquæ Communium Libertatum & Forestarum Communitatis Regni nostri (per nos dudum & * Apostolicam specialiter confirmata) nec non & omnes Articuli de nostro & Magnatum Terræ nostre Communi Assensu dudum Concessi, in quarum Violatores ad petitionem vestram Sententia Excommunicationis dudum lata est, & per Sedem Apostolicam specialiter Confirmata, nec non & omnes Articuli de nostro & Magnatum Terræ nostre Communi Assensu dudum provis, quos nos nuper apud *Wigorniam* existentes per singulos Comitatus sub sigillo nostro transmissimus, inviolabiliter observentur in perpetuum: ad quorum observationem Sacramento ad Sancta Dei Evangelia corporaliter præstito sponte Nos obligavimus, & omnes Justiciarios, Vicecomites & quoscunque Ballivos de Regno nostro, tam nostros, quam alios, simili Sacramento volumus obligari, in quod nosse teneatur alicui Ballivo obedire, donec Sacramentum præstiterit: & si quis contra Cartas ipsas vel Articulos prædictos in aliquo venire præsumperit, præter perjurii reatum, & Excommunicationis sententiam quam incurrat, per considerationem Curie nostre graviter puniatur, salvo in præmissis (prout decet) Privilegio Clericali, & quæ volumus quod hæc omnia firmiter & inviolabiliter observentur, Universitati vestre firmiter injungendo & præcipiendo mandamus, quatenus vos omnes & singuli prædicta omnia & singula, sicut superius scripta sunt, faciatis, teneatis, & inviolabiliter observatis, & ad ea omnia faciendæ, tenendæ & observandæ ad sancta Dei Evangelia Sacramento Corporaliter præstito ad invicem vos obligetis. In cujus Rei Testimonium Cartas & Ordinationes prædictas cum presentibus Litteris patentibus vobis sub sigillo nostro in Comitatu vestro sub Custodia fide dignorum ad hoc electorum, ad rei memoriam salvo custodiendas: contra quas ne quis Ignorantiam prætereundum possit in futurum, ad minus bis in Anno pleno Comitatu ipsas præcipimus publicari, ita quod prima publicatio fiat in proximo Comitatu post instantem festum *Pasche*, secunda vero fiat in proximo Comitatu post festum Sancti *Michael*, & sic deinceps fiat annuatim. Volumus insuper, quod, salvo omnibus supra dictis, omnes alie Ordinationes & Articuli per nos & Concilium nostrum hactenus provis, qui poterint ad honorem Dei & Ecclesiæ fidem, nostrum

† i. e. Papam.

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Note, The Names of Persons are set down by their Titles, Dignities, or Surnames, unless they are Sovereign Princes.

Note, Whereas there are two Quires unhappily printed off with the same Numbers, both beginning with 973, &c. to 980. inclusive, the Figures for the second Quire are thus distinguished, U u u u 3. at the Bottom of every Leaf.

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F I N I S.

The most considerable E R R A T A.

The Author having been for the most part absent from the Press, the Reader will, I hope, pardon the following *Errata*, which either his own Inadvertency, or the Negligence of the Transcriber or Printer, have left to be corrected.

In the INTRODUCTION.

P. 36. line 3. dele *not*, ib. after *being*, read *almost*, p. 41. l. 1. over against *That*, add *s*. in the Margin. P. 51. l. 30. *Seals* r. *Seats*.

In the HISTORY,

BOOK I.

P. 4. l. 30. after *Brian*, add a Comma, p. 39. l. 6. for *him*, r. *the Elef*. p. 64. l. 31. d. *to her*, p. 67. l. 46. d. *for*.

BOOK II.

P. 83. l. 35. for *Egelwin*, r. *William*, p. 97. l. 8. d. *and which*, p. 107. l. 44. for *being*, r. *was*.

BOOK III.

P. 120. l. 1. the r. *then*, p. 136. l. 28. r. *Ante-Pope*, p. 142. l. 39. for *never*, r. *now*, p. 146. l. 7. after *condemned*, r. *to perpetual Imprisonment*, p. 171. l. 21. for *Geoffrey* r. *Son to Fulk*.

BOOK IV.

P. 199. l. 12. for *proceed*, r. *precede*, p. 201. l. 10. d. *or after*, p. 202. l. 25. for *Tenure* r. *Tenir*, p. 212. l. 20. after *the*, r. *more*, p. 215. l. 21. for *Albert* r. *Alberic*, p. 225. l. 8. r. *Borders*, p. 241. l. 34. for *Emperor* r. *Empress*, p. 248. l. 44. for *King*, r. *Duke*.

BOOK V.

P. 304. l. 4. d. *out*, p. 325. l. 36. r. *interpreted*, p. 330. l. 14. for *Alexander* r. *William*, p. 334. l. 15. for *issued forth a*, r. *renewed his*, p. 337. l. 9. after *that*, r. *there*, p. 339. l. 12. after *also* r. *he*, p. 346. l. 7. r. *encouraged*, p. 347. l. 11. r. *Lusignian*, p. 353. l. 35. after *and*, r. *Robert*, p. 365. l. 29. f. *Ryne* r. *Ryme*, p. 385. l. 18. after *and* r. *took*, p. 388. l. 2. for *Archbishop* r. *Saint*, p. 397. l. 23. for *England*, r. *Scotland*, p. 420. l. 5. for *from* r. *for*, p. 427. l. 1. r. *were*, p. 452. l. 18. d. *poor old*, p. 457. l. 19. d. *Resides*, ib. l. 26. after *renewed* r. *in part*.

BOOK VI.

P. 473. l. ult. r. *to receive*, p. 487. l. 11. *forget* r. *forge*, p. 528. l. 12. d. *or*.

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BOOK VII.

P. 703. l. 33. r. *was*, p. 709. l. 24. d. *Estates*, p. 716. l. 24. r. *Laws*, p. 722. l. 9. d. *of*, & in Margin, r. *Duchess*, d. *of*. P. 723. l. 22. for *degreed* r. *desired*, p. 744. l. ult. r. *asserting*, p. 745. l. 29. *Nuncio* r. *Nuntius*, p. 765. in Margin for *Alphonso* r. *Peter*, p. 791. l. 23. *Seal* r. *Seals*, p. 798. l. 49. d. *Male Illne*, viz. ib. l. 50. after *Sister* r. *had still the better Title*.

BOOK VIII.

P. 839. l. 18. d. *whole*, p. 845. l. 8. d. *Parliament* r. *Treaty*, ib. l. 20. after *so r. much*, p. 853. l. 14. for *also that*, r. *likewise*, p. 855. l. 4. d. *an Address*, p. 862. l. 29. d. *were*, ib. after *for-*
and r. *them*, p. 876. after *and* r. *sent*, p. 886. l. 24. for *Reason* r. *Realm*, p. 918. l. 38. for *at*,
r. *is*, p. 925. l. 34. for *he r. they*, l. *penult*, for *Consecration* r. *Excommunication*, p. 946. l. 23.
r. *extracting*, p. 970. l. 24. d. *was*, p. 975. l. 2. after *held* r. *visiter this*, or: p. 980. in Margin, f.
Walsham r. *St. Albans*, p. 983. l. 8. after *Bishops* r. *were*, ib. after *also* r. *to*. p. 1005. l. 31. after
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p. 1079. l. 33. d. *Parliament*, r. *Assembly*: p. 1109. l. 13. for *us*, r. *King*, p. 1101. l. 41. after
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1111. l. 6. for *and* r. *of the*. p. 1113. l. 1. after *for* r. *all*, l. 2. for *his*, r. *their Fees*, l. 3. for *to*
r. *for*.

The ERRATA in the APPENDIX.

P. i. cap. ii. l. 3. for *Regni* r. *Regi*, p. 4. cap. xiv. l. 4. for *quodam* r. *quod in*, id. l. 9. for
Geahgel r. *Geahgeld*, cap. xvii. Tit. r. *Suppliciorum*, p. 6. cap. xi. l. 2. for *sui* r. *sua*, p. 9. cap.
iii. l. 2. r. *Servitium*, p. 12. l. 4. dele *terminari non possunt*, p. 18. cap. xc. l. 3. r. *impetratum*, p.
21. cap. xvii. l. 6. r. *Corona*, p. 23. l. 16. r. *Burgi*, ib. l. 36. r. *et*, p. 26. l. 24. r. *Owr*, p. 33.
l. 15. r. *apponi*, p. 36. l. iii. r. *Teste*.

Corrigenda & Defenda.

UPON the Review of this Volume, since it came from the Press, I perceive I have committed
some Mistakes, which I desire the Candid Reader to pardon, and shew rectify.

Book I. p. 22. Having followed the printed Copies of William of Malmesbury, concerning the
Revolt of the City of Oxford from K. William I. I there mention'd that Story as I found it in my

Author; but since, upon consulting the Manuscript Copies in the Cottonian
* In Devonshire. and Bodleian Libraries, as also Camden's * *Britannia*, I own I was under
a Mistake, for it was Exeter, and not Oxford, which then revolted:
the nearness of the Latin names of those two Places, viz. *Exonia*, and *Oxonium*, I suppose led
the Transcribers of the Manuscript Copies into that Error, and consequently my self into the
same.

B. III. p. 145. over against these words, *the King spent all this Year*, &c. Add the Year of our
Lord in the Margin, viz. Anno Dom. MCXII. which is there omitted.

B. III. P. 177. A.D. 1134. Whereas there is mention'd a terrible Fire in London, which is
said to have burnt down the greatest part of that City; upon second Thoughts, I am now satisf-
fied that it was no other than what Florence of Worcester, and Matt. Paris, mentioned two Years
before, viz. A.D. 1132. and which I have set down under that Year, P. 175. thoc is most
probable, that the Circumstances of this Fire might be as the Manuscript Author of the Annals of
the City of London has related (tho' falsely) under that Year (and who was the cause of my
mistake) but he flourished not till towards the latter end of King Henry III.

B. VI. p. 475, 476. The Appeal of the Bishops of Durham and Salisbury, against the Electi-
on of Geoffrey Archbishop of York being twice mention'd, dele the first Relation of it, it be-
ing overseen.

B. VII. p. 771. l. 38, 39. dele these words, *This present Charter made by the Popes*, and for
them read, *that the same was soon after confirmed by the Pope's Bull*.

B. VIII. p. 991. Over against the words, *This Writ or Charter*, beginning at the third Para-
graph, add in the Margin; see the Charter in the Appendix, N. 10.

ADDENDA

A D D E N D A.



THE Author, since the finishing of this Work, having found some things of Consequence that he thought worthy to be added, desires the Reader to insert these following particulars, as he is here directed to, in their proper places.

Book I. P. 63. l. penult. *Man-bote*, that is, *Amends for a Crime*, from the Saxon word, *Man, Crimen, Noxa, Peccatum, Nocumentum*.

Book II. P. 89. under N^o [5] after *Malcolm*, add this, "Yet he reigned but a Year and a half, and was then treacherously slain by *Donald's* instigation, who again recovered the Crown, and kept it for near four Years.

Id. P. 106. Under N^o [5] after the last word of that Paragraph (viz. *Death*) insert this, "And not long after Pope *Urban* himself deceased.

Book V. P. 308. In the beginning of the Year MCLXI. after the words *this Year*, add, "The King having kept his *Christmass* at *Bayeux*, in the beginning of *Lent*, held a Great Council of the Bishops and Abbots at *Rouen*, after which he seized, &c.

Id. P. 371. L. 1. After *Ireland*, add this, "One of the most considerable things that happ'ned there this Year * was, that *Dermot Mac-Murrough* King * *Chron. Hibern.* of *Leinster*, who deceased at *Fernes* about the end of *April*, being then well stricken in Years. Sometime after which, whilst, &c.

Id. P. 379. At the end of the Paragraph under N^o [5] after *against their Father*, insert this, "† What *Brompton* in his *Chronicle* relates concerning this Affair † *Col. 1424* is very considerable, if it be true, viz. that upon this Quarrel the two young Princes last mention'd, privately left the Court, but the Queen endeavouring to do so too, was taken disguised in a mean Habit; and being looked upon as the Contriver of all this Mischief, was kept Prisoner for most part of this King's Reign.

Id. P. 449. l. 32. After *Truce*, add, "Nothing else fell out considerable in foreign Parts, except the Death of *William* King of *Sicily*, who left his Queen *Joan*, Daughter to this King *Henry*, besides her Dower or Jointure, a great Legacy in Gold, Plate, and other rich Moveables; besides what he bequeathed to the King his Father-in-Law, of which you will hear more in the next Reign.

Book VII. P. 730. l. 44. Insert this, next to *hereafter*, "Nothing else relating to Ecclesiastical Affairs happened worth noting, but that *John Ferentine*, a Cardinal, came this Year into *England*, and having amassed a mighty Sum of Money from the Clergy, held a Great Council or Synod at *Reading*, wherein some Canons were made, and then presently after returned into *Italy*.

F I N I S.



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